

CHAPTER 2

THE PAPACY, 1024–1122

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INTRODUCTION

General

The author of a chapter on the history of the papacy from 1024 to 1122 confronts the unusual task of giving in a few pages an account of both the *Adelspapsttum* and of the popes of the Gregorian reform period. No greater contrast could be imagined, one might think. After the clean-sweep of Sutri and Rome in 1046, when ecclesiastical councils under the guidance of Emperor Henry III cleared the way for the first of the northern newcomers, Pope Clement II (1046–7), a fundamentally altered papacy is supposed to have arisen from the ashes of a papacy dominated by the corrupt local Roman nobility. And, indeed, profound changes occurred in the second half of the eleventh century, although with regard less to the papacy itself as an institution than to its relationship with the churches of the empire (Germany, Italy and, at times, Burgundy), the Normans of Italy, the principalities and kingdom of France and the Byzantine patriarchate. Because of the Conquest and the special relationship between the papacy and the English kings from William I to Henry I, England stood somewhat apart in this reordering, as did Spain on account of the *Reconquista*.¹ It involved the successful realization of the papal primacy. This was not limited to the secular realm, but also deeply affected relationships within the church. The history of these changes can be found in an earlier chapter as well as in many handbooks and will only be sketched very briefly here.² The present chapter will emphasize the administrative underpinning that allowed a strengthened papacy to emerge at the end of the twelfth century under Innocent III (1198–1216) as the single most influential political and spiritual institution of Latin Christendom. It will cover the initial stages of this development, since they

¹ Cowdrey (1972) and (1989); Fornasari (1989); Garcia y Garcia (1989); Erdmann (1935).

² *NCMH*, iv, Part I, ch. 9.

unfolded precisely in the period from *c.* 1012 to 1123 and form a continuous theme.

The tenth-century background

The popes of the tenth and early eleventh centuries never renounced the proud papal traditions represented in the more recent past by Nicholas I (858–67) and John VIII (872–82). But because the ties between the pope and the Frankish rulers, which had helped to shift the focus of the papacy from Byzantium to northern Europe in the eighth century, had weakened considerably during the break-up of the Carolingian empire and the effectiveness of the popes had declined, the papacy of the tenth century came to depend increasingly on local Roman and Italian factions. Near-anarchy north and south of the Alps greatly constricted the papal vision as well as the papal sphere of action. Not even the revival of the western imperial tradition by the Ottonian rulers in 962 could break the vicious cycle which threatened to make the papacy permanently a merely local force. The affair of Pope Formosus (891–6) shows vividly that it was even an advantage for the church, when with Sergius III (904–11) one of the several rival factions in Rome gained the definite ascendancy over the others. Formosus had been bishop before his election, and canon law forbade the translation of bishops to other sees, since they were considered married to their churches of ordination. The opponents of Formosus, therefore, possessed an excellent weapon. At the infamous synod of 896/7, Pope Stephen VII had the decaying corpse of Formosus dressed in papal regalia, deprived him of his rank and finally had the mutilated corpse cast into the Tiber. For almost two decades afterwards it was hotly debated whether or not Formosus had been pope legally and whether or not, therefore, his ordinations had been and remained valid. Writings supporting Formosus are vivid illustrations of the confusion and violence reigning in Rome at the time, and incidentally provided some of the most potent arguments in the eleventh-century quarrel over the validity of simoniacal ordination between Peter Damian and Humbert of Silva Candida.

The success of Sergius III, since 897 the anti-Formosan candidate for the papacy, was primarily due to the support of his cause by Theophylact. Theophylact and his direct heirs dominated Rome until 963, when the Crescentians and eventually the Tusculans succeeded to his role. Under the *princeps* Alberic II (932–955), grandson of Theophylact, Rome enjoyed the greatest degree of security and tranquillity in the entire century. Alberic completely dominated the papacy, but his rule also brought monastic reforms to Rome. They were inspired and personally guided by Abbot Odo of Cluny. Alberic's son, Octavian, not only continued to rule temporal Rome, but also became pope under the name of John XII (955–64). Not until 1012 was Crescentian control over the

papacy to be broken. The Tusculan party succeeded in replacing the Roman branch of the Crescentians in May of that year, when within a week both Pope Sergius IV (1009–12) and the patrician John had died. Gregory, elevated to the papacy by the Crescentian party, was defeated and replaced by the Tusculan Theophylact as Benedict VIII.

The Tusculan popes

Benedict VIII (1012–24)

In contrast to the Crescentians, who had largely relied on the entrenchment of their own dynasty and their supporters in the duchy of Rome as secular magnates and landowners – often at the expense of the temporal property of the Roman church – the Tusculans used their secular power and successes to shore up the standing of the papacy among the Roman nobility. The position of patrician, so important to Crescentian rule, remained vacant. Benedict VIII, in particular, fought successfully to restore to the Roman church some of the properties that had been alienated through long-term emphyteusis to lay magnates. At the same time the pontiff also lent his support to monasteries such as Farfa south of Rome in reclaiming alienated property. The synod of Pavia of 1022, celebrated jointly by Benedict and Emperor Henry II, betrays the same spirit, although an element of moral reform of the clergy was also present and should not be underestimated.³ Successful restitutions of rights and property to the apostolic see were none the less negligible, if the abject poverty of the papacy in the mid-eleventh century provides an acceptable measure. In the long run, therefore, other aspects of Benedict's reign were better suited to shore up and preserve traditional papal rights as they had evolved in the Carolingian period. Benedict's cooperation with the emperor and his need for a military alliance brought about a visit to Henry II at Bamberg in 1020. On this occasion the pope received an imperial privilege which repeated with a few additions the *Ottonianum*, which had confirmed the papal lands granted in earlier Frankish donations. The document, known as the *Henricianum*, played a subsidiary but nevertheless important role in conjunction with the Donation of Constantine in documenting papal sovereignty and the geographical extent of the papal states for centuries to come.

The cooperation between pope and emperor also shaped other aspects of papal policy far beyond the reigns of the Tusculan popes themselves. Among them are administrative changes with regard to the chancery, as well as the seemingly innocuous introduction of the *filioque* clause. A synod gathered

³ *MGH Constitutiones*, 1, no. 34, pp. 70–7; cf. Capitani (1966), Pavia 1046. The fight for the restitution of ecclesiastical property might itself constitute reform, cf. García y García (1989), p. 246.

in Rome on the occasion of Henry's imperial coronation in 1014 agreed to follow in future the Frankish custom of including the Nicene creed among the prayers of the mass on Sundays and holidays. The venerable creed was now to contain the *filioque* whose Frankish origin was quickly forgotten. It was accepted as so typically Roman that Byzantine objections to the *filioque* became a fundamental issue in the break between Rome and Constantinople in 1054.

More important still was the fact that since the time of Charlemagne it had become customary for new archdioceses to be established only through the papacy. The pontiff would determine the geographical extent of an ecclesiastical province as well as the seat of the new archbishop. An archbishop, furthermore, could only assume his duties after he had obtained the pallium, once it had been consecrated by the pope over the tomb of St Peter in Rome. Eventually, in the late eleventh century, the conferring of the pallium made the archbishop seem more like the pope's deputy with a delegated share in the universal primacy. It is true, of course, that rulers who were powerful enough to establish new archbishoprics like Otto I (Magdeburg 963) or Henry II (Bamberg 1020) also were strong enough to influence the papacy, but formally at least papal control determined the shape of the church in the particular kingdoms. When political circumstances permitted, the papacy could translate such control into real terms, or try to do so. Gregory IV (827–44), for example, intervened in the revolt of 830 against Louis the Pious on the side of Lothar I and his bishops. The pope was unsuccessful on this occasion, because most of the Frankish episcopate supported Louis, but in the course of the negotiations Gregory IV had reinterpreted instructions of Pope Leo I (440–61), stating that the pope alone possessed the fullness of power (*plenitudo potestatis*) whereas the bishops were entrusted only with partial responsibility (*pars sollicitudinis*). By the end of the eleventh century this declaration was frequently used to justify papal supremacy. By then it encountered little opposition among the episcopate which thus abandoned the old collegial understanding of the church at least in practice. With an attribution to Pope Vigilius, the text found its place in the Pseudo-Isidorian Decretals, thus becoming part of this sophisticated corpus of Frankish forgeries from the mid-ninth century, which also included the Donation of Constantine.⁴

Monastic privileges

In addition to the use of legates, who continued to represent the papacy on solemn occasions, especially councils, throughout the *seculum obscurum*, the influence of the papacy and veneration for St Peter is also evident in the growing

⁴ *Decretales Pseudo-Isidorianae*; Fuhrmann (197–4).

appeals to Rome for papal protection or even exemption of monasteries and, eventually, bishoprics. Papal protection, well into the eleventh century usually side by side with royal or imperial protection, meant that a particular abbey was protected by St Peter; an attack on such an abbey was at the same time an attack on St Peter. Frequently such a privilege included the right to the free election of the abbot or abbess. Expanded protection brought with it the exemption of an abbey from episcopal supervision at least in part. The extent of the exemption varied and was never absolute. The history of the Burgundian abbey of Cluny, founded by the duke of Aquitaine in 909, is an example of the various stages of protection/exemption. The foundation charter immediately provided for full independence from secular authority, free abbatial elections and papal protection (*tuitio* and *defensio*). The monastery was given to St Peter and St Paul. Every five years Cluny was to pay a census of ten *solidi* in recognition of this protection. The right of free abbatial elections, interpreted as the right to the designation of a worthy successor, contributed at first far more to Cluny's development than did papal protection. The abbots were thus able to prevent any decline in reforming zeal or the strictness of life and morals. It was only the later protection of Cluny by kings and popes that eventually led to Cluny's exemption from diocesan authority through the papacy. The final step in a complex process was the privilege of 1024 bestowed by Pope John XIX on Cluny to terminate all the bitter disputes and struggles between the abbey and the bishops of Mâcon, who had lost large portions of diocesan income because of Cluny's partial exemption.⁵ Given the fame and influence of Cluny it is easy to understand how the abbey's links to St Peter strengthened not only the monastery but also the prestige and influence of St Peter's earthly successor, the pope. In general it must be said, however, that the two successors of Benedict VIII, John XIX (1024–32) and Benedict IX (1032–44; 1045–6; 1047–8), were less successful than their predecessor. The regnal years of Benedict IX's pontificate with their frequent interruptions are a tell-tale sign. His pontificate was interrupted by first a resignation, secondly a deposition and thirdly a defeat.⁶

Legacy

Nevertheless, veneration for the successor of St Peter was kept alive in many ways: by the many pilgrims; probably hardly less so by the export of Italian relics; the papal right to the imperial coronation; and the first instances of the canonization of saints through popes. Up to the end of the tenth century, the cult of a saint had evolved spontaneously and locally, but in 993 John XV

⁵ Cowdrey (1970).

⁶ Kempf (1969), pp. 247–57; Herrmann (1973); Schimmelpfennig (1984), ch. 5, pp. 122ff.

became the first pope to proclaim a saint officially at the request of the German ruler. The cult of Bishop Ulrich of Augsburg prescribed for the universal church by John, of five Polish martyrs by John XVIII and of the Armenian hermit Symeon by Benedict VIII were the first steps in a process that was to lead under Pope Innocent III to the exclusive papal prerogative of canonization. The role of the imperial coronation in the history of the papacy has been evaluated in an earlier chapter.⁷ Here a reminder suffices that no king who hoped to be emperor, or needed the title to maintain his sovereignty, could afford to forget his dependence on papal support.

Whatever the strengths and weaknesses of an individual who occupied the throne of St Peter, therefore, the papacy as an institution was well prepared for the universal role it was to assume under the popes of the reform period. The foundations on which they could build were laid firmly, not least in the canonical collections of the time. In practical terms the successes of a great pontiff like Nicholas I were ephemeral,⁸ but they were invaluable in legal and theoretical terms. The increasing separation between the eastern and the western halves of the church in intellectual and political terms brought a decisive turn in the development of the Roman primacy. Without the patriarchate of Constantinople as a constant, practical reminder of the division of the patriarchal authority among five sees, the Roman patriarchal role was readily superseded by that of the universal primacy which had been attributed to the bishop of Rome as successor of St Peter for centuries in the Latin west. In 1054 two legates of Leo IX, the cardinals Frederick of Lorraine and Humbert of Silva Candida, excommunicated the patriarch of Constantinople, Michael Keroularios, as well as Emperor Constantine IX, an important step towards the permanent schism between the Greek Orthodox and Roman Catholic churches but also towards the universal papal primacy.

The papacy during the reform period

Simony and nicolaitism

From the days of the synods of Sutri and Rome in 1046 to the Lateran council of 1123, where the compromise regarding royal investitures of bishops and abbots concluded at Worms between Henry V and legates of Pope Calixtus II was reluctantly ratified, the papacy developed into an international institution of the first rank. The aim in 1046 had simply been the reform of the church in Rome. Conditions there had become urgent concerns of ecclesiastical reformers, among them monks, regular canons, bishops, princes, nobles and the laity in general. The twin evils corrupting the church and blemishing the

⁷ *NCMH*, IV, Part 1, ch. 9.

⁸ *NCMH*, II, ch. 21, pp. 563–86.

image of the pure bride of Christ were simony and nicolaitism, that is clerical marriage. Simony took its name from Simon Magus (Acts 8:18–24) and was understood as the buying or selling of spiritual goods and offices as defined by Gregory the Great. Gregory distinguished three forms of simony: the *munus a manu* (money or gift), *munus ab obsequio* (services, favours) and *munus a lingua* (intercession) and reinforced the older notion that whoever sinned against the Holy Spirit by committing simony was a heretic. By the eleventh century, when the concept of the proprietary church had penetrated the church, simony appeared in numerous guises, especially that of different types of fees, for instance those required by monasteries for admissions. Investiture, a ceremony for the handing over of the symbols of office (crosier and ring for a bishop), was often also seen as linked to simony. Simony, therefore, was a complex problem and extremely difficult to pursue. The fight for celibacy among the clergy was much more clear-cut, but it also required much persistence on the part of the papacy, which had taken over the leadership of church reform since the days of Leo IX. On both issues much headway was made, as described in an earlier chapter,⁹ although neither sin could be extirpated entirely. Simony and nicolaitism had troubled the church for centuries and continued to do so in future, albeit less blatantly. But it is clear that the pertinent ecclesiastical legislation laid down standards that were now accepted throughout Latin Christendom as a measure of commitment to the clerical life, giving rise to the criticism of the clergy among the laity which is so pronounced a factor in the later middle ages. Nevertheless, historians who emphasize ecclesiastical reforms as the chief characteristics of the papacy of the eleventh century are hard pressed to explain differences between this and other periods of reformation and renewal in the church. It is increasingly recognized that the crucial difference is the interpretation of the old concept of the papal primacy by the reformers. The two issues, primacy and reform, interacted, but constitute separate strands none the less.

The papal primacy

Even in the tenth century, when the popes were not particularly respected, nobody ever doubted the primacy of Rome, notwithstanding the quarrel over the archbishopric of Rheims which came to a head at the synod of Chelles. But Yves Congar put it well when he pointed out that on the whole in the pre-reform period the primacy of Rome was seen as an office or ministry distinguished by wisdom and moral authority within a church that was led by bishops and regulated through councils.¹⁰ Since the mid-eleventh century a forceful emphasis on canonical traditions, as handed down in the Pseudo-Isidorian Decretals and

⁹ *NCMH*, IV, Part 1, ch. 9.

¹⁰ Congar (1961), p. 196; Klinkenberg (1955).

especially the *Decretum* of Burchard of Worms (d. 1025),¹¹ gradually enriched the concept of primacy until the Petrine texts (Matthew 16:18–19; Luke 22:32; John 21:15–17) were related *exclusively* to the Roman church and thus turned into a dogmatic truth.¹² Obedience to the pope became an aspect of faith; disobedience now was idolatry and therefore heresy. Disobedience is the fundamental reason given for the excommunication of Henry IV by Gregory VII¹³ and that of Henry V by Urban II and by Paschal II in 1102.¹⁴ The occasion was the Lateran council of that year. It also introduced as a new requirement a written profession of obedience to the pontiff from the participants of the council and from those being granted the pallium.¹⁵

The roots of this eleventh-century transformation of the concept of papal primacy were many; they can be found throughout the Latin church. Northern polemics apparently stressed the old rule that the pope could not be judged by anyone, especially not a layman like Emperor Henry III, who moreover had no rights with regard to the election of any cleric. The views of the Italian reformer Peter Damian had developed long before Leo IX and his Lotharingian/Burgundian companions brought reforms to Rome. Like many of his contemporaries throughout Latin Christendom, Damian literally regarded the authentic decrees of the fathers as *sacri canones*, as the sacred pronouncements of popes, councils and church fathers inspired by the Holy Spirit. Canons were equated with the divine law, and Peter Damian like others was convinced that it was impossible for the laws of God to contradict each other. Harmonization of seemingly contradictory passages was one of his main concerns. Of these there were many, since for Damian all councils, even if not papal or legatine, and all papal decretals – because the pope is the successor of St Peter – represented legal sources of universal validity. There was one exception. Damian declared that a canon was no longer valid when it contradicted authentic papal decretals ('si decretis Romanorum pontificum non concordat'). This straightforward principle served Damian as the touchstone for the authenticity of any canon, whatever its origin.¹⁶ Differing from Cardinals Atto and Humbert of Silva Candida, Damian thus did not presuppose positive papal confirmation of a canon. Instead, he was in agreement with the *Decretum* of Burchard of Worms, a canonical collection he frequently used. Reasoning from the principle of concordance just mentioned, Damian came to declare anyone a heretic who did not agree with the Roman church ('haereticus esse

¹¹ Fuhrmann (1972–4), II, pp. 442–85. ¹² Congar (1961).

¹³ Gregory VII, *Register* III, 10a: 'Et quia sicut christianus contempsit oboedire...meaque monita...spernendo...vinculo eum anathematis vice tua alligo'; *ibid.*, VII, 14a: 'Heinricus...non timens periculum inoboedientie, quod est scelus idolatrie...excommunicationem incurrit.'

¹⁴ Blumenthal (1978), p. 21.

¹⁵ *Ibid.*, pp. 21 ff; Gottlob (1936), pp. 8–10 and 49ff.

¹⁶ Ryan (1956), pp. 137ff.

constat, qui Romanae ecclesiae non concordat'). Slightly altered, this sentence is frequently attributed to Ambrose of Milan and is found in a very similar form in the *dictatus papae* of Gregory VII.¹⁷ Many though not all of the reformers (Cardinal Deusdedit is one exception) implicitly and even explicitly equated the Apostle Peter, the pope and the Roman church. Thus obedience owed to the pontiff became absolute.

This conviction, displayed so prominently in the *dictatus papae* of Gregory VII but shared equally by his immediate predecessors and successors, carried over into the secular sphere, as we would say today. It was expressed strikingly in the day-to-day activities of the papacy. The crusades, envisioned under papal leadership by Gregory VII and initiated by Urban II at the council of Clermont in 1095; the deposition of the French king and of the emperors Henry IV and Henry V; the policies towards Byzantium and last but not least towards the Normans in southern Italy: everywhere to some extent at least the principle of the papal primacy is at play, albeit indirectly. The Latin church, by now understood as the universal church, was directly under the control of the pope. The pontiff possessed the *plenitudo potestatis* and could not be judged or deposed. By the second half of the twelfth century at the latest the right to issue new legislation had become his alone; papal decretals became the most significant influence on the jurisprudence arising particularly at the universities in southern France and Italy. The popes alone could issue dispensations, make monasteries and collegiate churches exempt, create new dioceses or divide or relocate old bishoprics. The relative autonomy of the archbishops in particular was considerably weakened. The most important aids in the execution of papal policies were the new organization of the papal bureaucracy, the rise of the college of cardinals and the systematic use of legates.

In addition to stressing the papal primacy within the church, Gregory VII and his successors also inverted the customary relationship between the monarchies and the papacy. The Gelasian concept of the priestly and the secular power side by side within the one church whose head was Christ had been typical for the Carolingian world of the ninth century. This image dominated thought well into the later eleventh century. Gregory's deposition of Henry IV and his claims to sovereignty in Italy, Spain, the Mediterranean islands, Scandinavia, Poland, Bohemia, Hungary and last but not least England created conditions not at all unlike those envisioned in the forged Donation of Constantine.¹⁸ By the early twelfth century the papacy was well on the way towards what has been described as the papal monarchy.

¹⁷ Gregory VII, *Register* II, 55a, c. 26: 'Quod catholicus non habeatur, qui non concordat Romanae ecclesie.'

¹⁸ Robinson (1990), pp. 17–27.

THE PAPAL ADMINISTRATION

From the Lateran palace to the curia

The Lateran palace, for much of the period under consideration the papal residence, also served as administrative centre of the Roman church as well as of her temporal properties: the duchy of Rome and the patrimonies (landed estates) of the see of St Peter. Known simply as the *episcopium* in the time of Gregory the Great, the Lateran soon thereafter also was called *patriarchium Lateranense* in analogy to the eastern patriarchates. Finally, by the tenth century, *sacrum palatium Lateranense* became the standard expression, a designation that had appeared in the Donation of Constantine, most likely an eighth-century Roman forgery. Best known among early papal officials are the seven deacons of Rome, an influential oligarchy from whose ranks many of the early popes, including Gregory I, were elected. By the mid-tenth century, however, the leading officials were the ‘judges’, a term then meaning dignitary rather than judge. The title might be replaced by ‘duke’, ‘consul romanorum’, prince and even ‘sentatrix’ in the case of the Roman lay magnates, who as *iudices de militia* were closely associated with the papacy.¹⁹ This is also true for the prefect whose ancient office was specifically linked with criminal and civic jurisdiction in the city of Rome. It was still significant under the popes of the reform period, gaining yet new lustre during the twelfth-century communal movement.²⁰ The office of *vestrarius* should perhaps be thought of at times as even more influential.²¹ Side by side and intermingled with the lay ‘judges’ were the *iudices de clero*, the chief papal administrators. They, too, were members of the Roman nobility and usually married, for despite their misleading name they were only in minor orders. The group included the *primicerius* of the defensors and the *primicerius* and *secundicerius* of the notaries (organized like other groups into *scholae*), the *arcarius* and *sacellarius* responsible since the seventh century for finances, and the *nomenculator* in charge of alms; in the ninth century the *protoscrinarius* was also numbered among the ‘judges’. The offices of these seven ‘judges’ are described in two documents, known as the older and younger (1002–49, before 1032?) list of judges, respectively.²² Whether the younger list reflects the influence of the imperial *sacrum palatium* at Pavia or not, it is certainly one of the traces

¹⁹ *Regesta pontificum Romanorum: Italia pontificia*, 1, p. 185, no. 1. Jordan (1947), p. 112. Fundamental are the lists for various officials in Halphen (1907). For the rarely used expression *iudices de militia* see *ibid.*, p. 37 n. 1. For members of the family of Theophylact addressed as ‘senatrix’ see Toubert (1973), p. 1027 n. 3, in addition to Kehr.

²⁰ One example is the abduction of Gregory VII in 1075 by Cencius Stephani (Bonizo of Sutri, ‘*Liber ad amicum*’, pp. 606, 610–11) and another the revolt of 1116/17 against Paschal II (*Liber pontificalis*, II, pp. 302, 303). See Partner (1972), pp. 152ff.

²¹ Jordan (1947), pp. 116–18.

²² Schramm (1929), pp. 199–218; Elze (1952), pp. 29–33, arguing persuasively for c. 962 as a possibility.

left by the attempts of the Tusculan popes to strengthen the papacy. Another is evidence which seems to imply that members of the Roman clergy were now more closely associated with the pope as palace clergy, including by 1018 acolytes and subdeacons (JL 4024) and by 1049 at the latest deacons (JL 4067 and JL 4163).²³ The link between the popes and cardinal priests and cardinal bishops, still predominantly liturgical, was reemphasized, for the later tenth- and early eleventh-century papal ceremonial in the Lateran palace as well as papal processions and station liturgies in the city of Rome were further elaborated, as witnessed by the younger list of judges.²⁴ Pope John XIX not only requested the bishop of Silva Candida to restore the liturgy at St Peter's basilica in 1026 (JL 4076), but also invited Guido of Arezzo to come to Rome in order to reform church music.²⁵ Benedict VIII as well as John XIX, moreover, paid particular attention to the suburbicarian sees, like Porto, Silva Candida and Tivoli.²⁶

The chancery

Tentative reform efforts – and perhaps it is only to us that they appear so tentative – extended beyond the papal ceremonial and the cardinal-bishoprics, however. By the later tenth century practical reforms must have been urgent, if the deterioration in the Roman curial script of the few extant original documents is any guide. The studies of Rabikauskas support the suggestions of Elze that many of the papal scribes, whether designated as notaries or *scriniarii*, were identical with Roman urban notaries, the *tabelliones*. This can only mean that the papal writing office had become so insignificant that it no longer needed permanent officials of its own.²⁷ The renewal of the imperial dignity in 962 and new links with the imperial Ottonian/Saxon court influenced this later tenth- and early eleventh-century reorganization of the Lateran bureaucracy. The office of chancellor is the most important example. Under John XVIII (1004–9) the *cancellarius sacri palatii Lateranensis* became a constant designation for the papal chancellor who functioned next to the *bibliothecarius* as a second official in charge of correspondence and privileges.²⁸ By 1023, when

²³ Elze (1952), pp. 40–6.

²⁴ Elze (1952), pp. 50ff, with references to the Ordo of Benedict. The liturgical roles of the judges recall their former eminence but also indicate that they no longer practise their official functions. From the late tenth century they had been replaced by the *bibliothecarius* (Jordan (1947), p. 116). See also Blaauw (1987).

²⁵ Elze (1952), p. 53 n. 140.

²⁶ *Regesta pontificum Romanorum: Italia pontificia*, III, nos. p. 20, 10 and 11 for Porto; pp. 25–7, nos. 2–5 for Silva Candida; p. 77, no. 9 for Tivoli. In this context Toubert (1973), p. 1036, refers to Tusculan activity 'pre-reformateur'.

²⁷ *Protoscriniarius* is explained in the younger list of judges as follows: 'Quintus est protus qui praestet scriniariis, quos nos tabelliones vocamus' (Rabikauskas (1958), pp. 69–71). See *ibid.*, p. 68 n. 12 for examples of the identity of papal scribe and urban notary.

²⁸ See Rabikauskas (1958), pp. 95ff, and especially Santifaller, (1940), pp. 113ff.

Pope Benedict VIII named Archbishop Pilgrim of Cologne *bibliothecarius*, the chancellor evidently had assumed the functions of the librarian entirely.²⁹ Both offices were combined in 1037 by Pope Benedict IX in the person of Peter of Silva Candida (JL 4110).³⁰ Peter continued to hold these offices to his death in 1050, notwithstanding the extraordinary and fateful changes touching the papacy upon the intervention of Emperor Henry III at the synods of Sutri and Rome in 1046. Benedict IX had granted the offices to the bishops of Silva Candida in perpetuity, but only Humbert, one of the ecclesiastics who had accompanied Pope Leo IX to Rome, and his successor Mainard could secure the office of librarian/chancellor in the years 1057–63, when they were cardinal bishops of Silva Candida.³¹ In general, it was preferred to entrust the office of chancellor to a lower-ranking cleric who would be able to devote himself exclusively to his secretarial duties. From 1063 the acolyte Peter occupied the position until 1084, when he deserted the cause of Pope Gregory VII and went over to Antipope Clement III. Famous is the long tenure of the chancellor John of Gaeta who took over in 1088 and remained until 1118, when he was elected pope as Gelasius II. John of Gaeta had been a monk at Monte Cassino where he had studied under the rhetorician Alberic. It was he who introduced the *cursus* into papal documents, used a new period for the calculation of the indiction and a new date for the beginning of the year.³²

However, despite the continuity of leadership in the papal chancery, located in the Lateran palace, the church reform of the eleventh century meant numerous changes in its personnel and, most visibly, in its products, primarily papal letters and privileges, although the chancery also maintained official registers. The antique custom of keeping official registers was revived at the latest under Pope Alexander II (1061–73), although from this period only the original manuscript of the register of Gregory VII (1073–85) has survived in the Archivio Segreto of the Vatican.³³ The papal archives seem to have been kept in part at the Lateran palace and in part at a tower near the arch of Constantine.³⁴ Only Roman scribes were trained in the traditional curial script, but they rarely

²⁹ Bresslau (1912), pp. 219ff.

³⁰ Herrmann (1973), p. 24, inappropriately describes the new office as a *Superministerium*. See Elze (1952) and Rabikauskas (1958).

³¹ Huels (1977), pp. 131–4 for Humbert, and pp. 134–6 for Mainard. Mainard was replaced by the acolyte Peter in January 1063 when he became abbot of the abbey of Pomposa.

³² Santifaller (1940), pp. 183–9 for the acolyte Peter, and pp. 208–14 for John of Gaeta; Sydow (1954/5), p. 50.

³³ Bresslau (1912), pp. 101–24; Caspar (1913), pp. 214–26; Lohrmann (1968); Schmidt (1977), pp. 220–35; Blumenthal (1986), pp. 1–18, and (1988b), p. 135 n. 2.

³⁴ Schieffer (1971), pp. 169–84; for the *Archivio sacri palatii Lateranensis* see Deusdedit, *Kanonessammlung*, III. 278 and III. 279; Kurze (1990), p. 35 n. 48; Ehrle (1910), p. 448. The influential thesis of Kehr (1901) that *scrinium* and chancery were two different institutions with different personnel has been convincingly rejected by Elze (1952) as noted by Toubert (1973), p. 1043 n. 2.

accompanied pontiffs like Leo IX or Victor II on their extended travels. The popes, therefore, had to rely on local assistants or members of their entourage, who usually were obliged to substitute Carolingian minuscule for the curial script. Moreover, it was necessary to use parchment instead of papyrus, which was becoming rare at this time and could not be obtained north of the Alps. The replacement of the curial script, however, was certainly not intentional, for under Stephen IX and his successors to Pope Calixtus II (1119–24) it reappeared and was used side by side with the minuscule until it disappeared for good after 1123.

Of greater interest are textual and formulaic changes in the privileges, which were introduced most likely through papal initiatives. Some of them clearly reflect imperial usages. Certain historians suggest a linkage with the lively interest in the Donation of Constantine displayed by the popes since Leo IX, but the evidence is too ambiguous to be certain.³⁵ Leo IX and his advisers, including Humbert of Silva Candida, introduced the *rota* into the eschatocol, the last lines of a privilege following upon the body of the text. The *rota*, a double circle surrounding a cross and with an inscription specific to each pope, replaced a simple cross. One other notable change is the transformation of the old *Bene valete* of the popes into a monogram.³⁶ The gradual, overall evolution of the chancery brought with it, intentionally or not, a differentiation and separation from local Roman institutions. Thus it fits in well with the evolution of the papacy from a locally dominated institution to an international one. The chancellor, dating back to the early eleventh century at least, thus finds his place with ease in the papal curia developing since the pontificate of Urban II (1088–99), like the *camera* and the *capella papalis* in analogy to the courts of the European monarchies.³⁷

The financial administration and the lands of St Peter

Particularly significant for the history of the papacy was the creation of the *camera* under Pope Urban II. Apart from the cardinal bishops, many members of the Roman clergy (the old ‘iudici de clero’) had deserted the cause of Gregory VII in 1084 and transferred their allegiance to the antipope Clement III and Emperor Henry IV. Both the chancellor and the *archidiaconus* had been among

³⁵ This is often assumed, but such assumptions are contradicted by the fact that the German imperial chancery influenced the papal chancery certainly from the pontificate of John XIII (965–72) and into the reign of Pope Stephen IX. By the end of the eleventh century, by contrast, the influence was flowing in the opposite direction. See Bresslau (1918), especially pp. 27–37.

³⁶ Santifaller (1973), pp. 29–38. Frenz (1986), pp. 15–22, provides an excellent recent description for the evolution of letters, simple and solemn privileges in this period and includes a bibliography. For details on development under Leo IX, see Dahlhaus (1989).

³⁷ Jordan (1947), pp. 114ff and n. 15, and Jordan (1973), pp. 32–43.

them. Urban, therefore, could begin with a clean slate and transfer the *camera*, the financial institution which had proven its value at the Burgundian abbey of Cluny, to Rome without being hamstrung by ancient traditions there or consideration of the claims of the old bureaucracy. Indeed, other monasteries north of the Alps also used a *camera* to keep their financial affairs in order,³⁸ but it can hardly be doubted that Urban, formerly prior at Cluny, was influenced by the very institution which he had come to know and appreciate as a monk, especially since his first treasurer, the *camerarius* Peter, was also a monk from Cluny. Moreover, Cluny itself directly assisted the papacy with financial transactions in the late eleventh and early twelfth centuries, so much so that the *Historia Compostellana* referred to Cluny as *camera et asseda* of the pope at the time of Calixtus II.³⁹ Peter continued as treasurer under Paschal II (1099–1118). Calixtus II, the former Archbishop Guy of Vienne, once again installed a monk from Cluny, Stephen of Besançon, as *camerarius*. Only after his pontificate did the financial ties between the papacy and Cluny begin to weaken.

Records for the activities of the *camera* in the beginning of its history are very scanty. The financial situation of the papacy in this period was very precarious, as the many papal appeals for assistance to English, French and German ecclesiastics demonstrate. Ordinarily, the chief expenses of the pontiffs were the *presbyteria*, gifts to the Romans due on many different ceremonial occasions, and the maintenance and embellishment of the churches and monasteries of Rome, including the Lateran palace and St Peter's basilica. The clergy of Rome, particularly if they were foreigners or members of the bureaucracy, also depended to some extent on the papacy for financial support. The reform papacy, however, was in addition not only involved in a struggle, armed or otherwise, with the Roman noble opposition but was also trying to reconquer the papal states, having to fend off the Normans in the process. Expenses certainly rose, therefore. The papal income was originally derived primarily from the 'lands of St Peter', the huge estates, villages and towns of the patrimony found throughout the western half of the former Roman empire, but especially in southern Italy and Africa. Once, at the end of the sixth century, this income readily sufficed to provide for the entire city of Rome. By the eleventh century, when the *camera* was created, matters had changed dramatically. Again and again the popes had tried to prevent the appropriation of church lands by the great Roman families, but to no avail. The nobles took advantage of long-term leases, customarily granted for the term of three lives, which they exacted from popes, bishops or abbots in return for a small recognition fee, the *pensio* or *census*. At the synod of 877 at Ravenna Pope John VIII jointly with Emperor Charles the Bald (840–77) very tellingly prohibited not only alienations by

³⁸ Sydow (1954/5), p. 43 n. 161.

³⁹ *Ibid.*, p. 57 n. 249.

the papacy but also *requests* for the alienation of the patrimony or of any of the fiscal rights of the Roman church. Such income was to go directly to the Lateran palace, nor were any monasteries, manors or estates to be given out as benefices. Both of these conciliar canons contained significant exceptions: familiars of the popes and persons to whom such grants were owed for their special service to holy Roman church.⁴⁰ The arenga of the privilege of Otto III (983–1002) of 1001 granting Pope Sylvester II (999–1003) eight counties in the Pentapolis, severely criticized the territorial policies of the papacy: ‘we are witness to the fact that the Roman church is the mother of all churches, but the carelessness and ignorance of the popes has long obscured the monuments of her greatness. For not only did they sell and alienate . . . things outside the City, but also . . . what they held in this our royal City.’ The arenga eventually lists the Donation of Constantine as one of the fabrications of the papacy under the name of the great Constantine in order to make up for losses by appropriating what belonged to the emperor.⁴¹ In the rest of Italy similar conditions prevailed; Otto III decreed in 998 that leases were to be valid only during the lifetime of the lessor, since the ecclesiastical institutions should not be made to suffer through alienations based on greed and personal ties.⁴² Such and similar leases together with outright grants transformed, for instance, the Sabina north of Rome into a Crescentian power base.⁴³ Improvements were very slow to come, the great Donation of Emperor Henry II to the Roman church of 1020 notwithstanding.⁴⁴ Two privileges of Nicholas II (1059–61) for Rocca Antica and Montasola, established collective communities under the protection of the pope in return for a yearly census, provisions (*fodrum*), and subjection to papal jurisdiction. The inhabitants of Rocca Antica were also obliged to rebuild the fort (*castellum*).⁴⁵ Documents from the reign of Paschal II, which were excerpted in the *camera* around the middle of the twelfth century from his register, and eventually made their way into the *Liber Censuum*, show similar features in grants in the patrimony.⁴⁶ With the aid of the Normans Paschal

⁴⁰ Mansi 17, pp. 335ff, cc. 15 and 17; Jordan (1932), p. 31.

⁴¹ Otto III, *Die Urkunden*, no. 389, pp. 818–20, at p. 820: ‘Romanam ecclesiam matrem omnium ecclesiarum esse testamur, sed incuria et inscientia pontificum longe sue claritatis titulos obfuscasce. Nam non solum quae extra urbem esse videbantur, vendiderunt et . . . alienaverunt, sed . . . si quid in hac nostra urbe regia habuerunt . . . omnibus iudicante pecunia in commune dederunt . . . Hec sunt enim commenta ab illis ipsis inventa . . . et sub titulo magni Constantini longi mendacii tempora finxit.’

⁴² Jordan (1932), p. 37.

⁴³ Toubert (1973), pp. 1029ff, esp. n. 3. Specifically for the Sabina see Vehse (1929–30).

⁴⁴ Herrmann (1973), p. 34 n. 75.

⁴⁵ *Regesta pontificum Romanorum: Italia pontificia*, II, p. 72, no. 1 for Rocca Antica; Vehse (1929–30), pp. 172–5, appendices 1 and 2 for Montasola.

⁴⁶ *Liber censuum*, I, p. 407, no. 132, and *ibid.*, 2, p. 95 = x. 54; *Regesta pontificum Romanorum: Italia pontificia* II, p. 109, no 1; Jordan (1932), pp. 49ff.

had conquered the *castellum* Ninfa south of Rome in the diocese of Velletri around 1108. Its inhabitants had to swear fealty to St Peter and the Lord Pope Paschal as well as to his rightful successors; they had to render military service, owed suit at the papal court, and aid (*servitutum*). What is new is the reliance on feudal ties with what has been described as collective seigneuries as a means to maintain papal sovereignty.

The slender evidence for Nicholas and his successors shows how slowly papal authority expanded again. The pontiffs apparently governed the patrimony directly from the Lateran without the old rectors as intermediaries. The evidence for the evolution of the *camera* is so fragmentary that definite conclusions are hard to reach, but perhaps it can be said that the early twelfth century showed clearly a turning away from the old models for the government of papal states which still dominated under Alexander II and Gregory VII (1073–85). When Count Raymond William of Urgel had granted St Peter two forts (*castelli*) in the time of Alexander II, taking them back for himself and for his heirs in return for an annual census payment (*pensio*), the census was to be collected by Abbot Frotard of St-Pons-de-Thomières, who is described as *actionarius*, the old title of the collectors of rents and other payments in the Patrimony.⁴⁷ At the time of Paschal II the old titles have almost entirely disappeared, and new ones linked to the chamber are bewildering in their variety, from a *serviens domni Petri camerarii* to *dapifer* (steward), *familiaris* and *thesaurarius*.⁴⁸ The variations are a typical sign of evolution and growth and just what one would expect. Under Adrian IV (1154–9) the *camerarius* Boso was exclusively responsible for the Patrimony of St Peter. By then the papal treasury had evolved into a much better defined institution, despite ups and downs such as papal schism and the Roman revolt of the 1140s. But even then its activities left much to be desired, at least in the eyes of Cencius Savelli, treasurer and later pope as Honorius III. He compiled the *Liber Censuum*, as he explained in the preface, to make sure that the financial rights of the papacy throughout western Christendom would be adequately recorded and preserved forever. Besides income from counties, principalities and kingdoms that were under the protection and/or lordship of St Peter as fiefs, or from customary gifts such as Peter's Pence from England, the *Liber Censuum* noted the names of numerous monasteries and churches which owed an annual census. For the late twelfth century it has been calculated that the income from secular sources amounted to four times as much as the income from protected or exempt churches.⁴⁹ The collection of these fees was one of the primary duties of the treasury, the other being the administration of the Patrimony. No wonder, then, that its agents were intensely disliked as far back

⁴⁷ Deusdedit, *Kanonessammlung*, III, 271. ⁴⁸ Sydow (1954/5), p. 56.

⁴⁹ Robinson (1990), pp. 281–3; Pfaff (1953), p. 114.

as the late eleventh century. The first satire on papal greed and Roman avarice, the *Tractatus Garsiae Tholetani canonici de Albino et Rufino*, was composed during the pontificate of Urban II.⁵⁰

LEGATES AND COUNCILS

Legates

From a very early period the popes were more than just bishops of Rome. Their position of leadership in the rest of Christendom, with regard to jurisdiction going back to the council of Sardica (343) which allowed deposed bishops and other clergy to appeal to the Roman see,⁵¹ brought with it the frequent use of emissaries or legates as papal representatives, for instance at ecumenical councils. They were also used for political negotiations as in the case of the Lombard or Frankish kings. The sources usually describe them as *missi* or *missi apostolicae sedis*, but also as *legati*. The last term is the usual one used in the register of Gregory VII. During the reform period missions of legates intensified greatly. For the Iberian peninsula, for example, practically all of the papal business was entrusted to emissaries who enjoyed papal confidence. With the important exception of Archbishop Diego Gelmirez of Santiago de Compostela, all of them came either from Rome or from southern France, not excluding Archbishop Bernard of Toledo, the former abbot of St Victor of Marseilles. The local councils held by these legates in 'Spain' were essential to the reform and constitute the primary measure for papal influence in peninsula affairs.⁵²

By the time of Gregory VII, who was a legate to France and Germany himself on several occasions before his election to the papacy, what might be called a regular system of representatives and legates to enforce papal decrees and claims functioned relatively smoothly. In an interesting letter of April 1075 to King Sven of Denmark Gregory contrasted the conditions of the early church with the present. The pope explained that it had been the custom among his predecessors to teach all nations through legates, to correct all kings and princes and to invite all to eternal life, for, Gregory wrote, the law of the earth used to be in the hands of the popes rather than of the emperors. Now, however, the kings and magnates (*presides*) of the land had become so contemptuous of the ecclesiastical laws that hardly any legates were being sent out, because they achieved no results; papal words were now only directed in prayer to the Lord of kings and the God of punishment. But because he, Gregory, knew the

⁵⁰ *MGH Libelli*, II, pp. 423–35; Robinson (1990), pp. 244–91.

⁵¹ Hess (1958), pp. 121ff for canons 4 and 7; see pp. 126ff for the appeals of presbyters or deacons.

⁵² García y García (1989), pp. 251–3.

king from the time of his archdiaconate and was aware of his reverence for the mother of all churches, he was none the less sending this letter through legates (*nuntios*), expecting a royal reply and Danish *nuntios* in return.⁵³ Gregory must have tried to flatter the Danish king, for legates were his favoured way of communication and often highly esteemed collaborators. Several months earlier the pope had confirmed in a letter the interdict which his legate, Bishop Gerald of Ostia, had pronounced upon Bishop Isembert of Poitiers.⁵⁴ Other legates adjudicated ecclesiastical cases, including disputed elections.⁵⁵ They might supervise new elections,⁵⁶ hold councils in the name of the pope⁵⁷ and excommunicate kings.⁵⁸ One of the clauses of the *dictatus papae* (c. 4) stipulates that papal legates, even if of inferior rank, would preside over bishops at councils and could depose them, clearly transferring papal prerogatives to the legate.⁵⁹ A letter of accreditation for the legates Gepizo and Maurus of January 1075 further details the authority Gregory vested in his representatives who were sent, Gregory explained, because it was impossible for him to be personally present as would be necessary if the church were to be reformed;⁶⁰ the same letter requested in addition to obedience and moral support the maintenance of the legates. This right to hospitality, later known as *procuratio*, was also included in the new oath of obedience demanded of archbishops and gave rise to complaints almost immediately. Bishop Ivo of Chartres implied in a letter to Paschal II that the pontiff even used legations as a pretext to provide for his clergy.⁶¹ In 1179 the Third Lateran Council saw itself obliged to declare that the entourage of a visiting cardinal was not to exceed twenty-five persons at most.⁶² Gregory VII himself, however, strictly supervised the legates through detailed instructions and, if necessary, by means of additional legates, making sure they returned in timely fashion to give account of their doings.⁶³ There never was any question about their subordination to the pope. On at least three occasions Gregory VII quashed major legatine decisions.

In addition to these legates, some dispatched from Rome, others dignitaries from the regions concerned, Gregory VII also used permanent papal representatives, the so-called standing legates. Hugh of Lyons, Girard of Angoulême,

⁵³ Gregory VII, *Register*, II, 76. ⁵⁴ *Ibid.*, II, 23.

⁵⁵ *Ibid.*, II, 25, IV, 17, IV, 26, in very comprehensive terms: 'Quapropter misimus ad vos hunc dilectum filium nostrum Gregorium et diaconum sancte Romane ecclesie, quatenus una vobiscum de ecclesiasticis causis et christiane religionis sacrosanctis institutionibus, que necessaria sunt, Deo adiuvante pertractans nostra vice, que corrigenda sunt, corrigat, que statuenda, constituat et ecclesiastice libertatis atque iustitie diu et in multis neglectas rationes et studia ad formam canonice et apostolice discipline reducere... efficaciter valeat confirmare.' Gregory is sent 'de sinu nostro' conveying the same meaning as the later *a latere*.

⁵⁶ *Ibid.*, v, 19. ⁵⁷ *Ibid.*, II, 28. ⁵⁸ *Ibid.*, IV, 23. ⁵⁹ *Ibid.*, II, 55a, c. 4. ⁶⁰ *Ibid.*, II, 40.

⁶¹ Hinschius (1869), p. 511 n. 1; Ivo of Chartres, 'Epistolae', PL 162, ep. 109.

⁶² C. 4 = COD, pp. 213ff. ⁶³ Gregory VII, *Register*, I, 6.

Amatus of Oléron, Altmann of Passau and Gebhard of Constance held such an office under Gregory VII and his successors in France, northern Spain and the empire. An exceptional case was Sicily. Under Urban II Roger of Sicily and his heir obtained a privilege permitting them to control the access and activities of papal legates, even to exercise legatine powers in accordance with the instructions of papal vicars sent from Rome.⁶⁴ Papal control over the church was immensely strengthened by all of these steps. The pope in fact was able to act as the universal ordinary of the church.⁶⁵ A similar intention to centralize the control of the church probably lies behind measures to restore, as Gregory and Urban believed, the ancient primatial-patriarchal dignity as described by Pseudo-Isidore. In 1079 Gregory granted the rank of primate to Archbishop Gebuin of Lyons, the *prima sedes* of the ancient province *Lugdunensis* I. The archbishops of Rouen, Tours and Sens were subjected to him.⁶⁶ Under Urban II the archbishops of Narbonne, Bourges and Toledo were confirmed in this supposedly ancient dignity and under Calixtus II the archbishop of Vienne. If the new, quasi-patriarchal rank in the ecclesiastical hierarchy had been better defined in the canonical source, it could have aided centralization under the pope even further, especially in connection with the office of legate, as witnessed by the career of Hugh of Lyons, Gebuin's successor.

Councils

In the eleventh century, next to the systematic use of different types of legates, papal councils or synods were probably the most important instrument for the centralized governing of Latin Christendom.⁶⁷ It even has been argued that under Pope Leo IX crucial innovations created 'an assembly attended by bishops from outside the Roman ecclesiastical province and from outside the imperial territories, an assembly under the sole presidency of the pope, the decrees of which were regarded as binding on the whole of Latin Christendom'.⁶⁸ But is it correct to speak of innovations rather than transformation of the customary papal synods in the course of the reform? It is difficult to speak of radical departures when there is so much continuity. Leo certainly never intended to innovate, either at the synod of Mainz which he celebrated in October 1049 jointly with Emperor Henry III or at the synod of Rheims, held

⁶⁴ The clearest formulation of the Sicilian privilege is that of Paschal II, JL 6562.

⁶⁵ Ryan (1966).

⁶⁶ The sees were the capitals of the old provinces *Lugdunensis* II, III and IV.

⁶⁷ Contemporary sources use *concilium* and *synodus* as synonyms, a practice followed here; Somerville (1989), p. 34 n. 2. Schmale (1976) and Robinson (1990) try to differentiate between these and similar terms.

⁶⁸ Robinson (1990), p. 22.

a fortnight earlier, from 3 to 5 October, in conjunction with the dedication of the new basilica at the abbey of St-Rémi. In a later letter (JL 4185) to all French Christians, bishops and laymen alike (*fratribus et filiis catholicis per universum regnum Francorum*), the pontiff declared that the canons from Rheims, which he had ordered to be phrased as canons and which he had confirmed at his other councils, should be kept in the same manner as those of the ancient ecumenical councils to which they were appended.⁶⁹ The near-contemporary *Vita Leonis* tells us that Leo had insisted all along that the ‘catholic law’ should be observed. At his very first council (Rome, April 1049) the pontiff confirmed aloud the statutes of the first four ecumenical councils and the decrees of all his predecessors.⁷⁰ This declaration is reminiscent of the *Liber diurnus* formula for the profession of faith at a papal consecration,⁷¹ and Leo had just been consecrated in February, but the profession also recalls age-old procedures at ecclesiastical councils. One very visible focus at many a working session was a canonical collection, solemnly displayed in the midst of the assembly. This was also the procedure at Rheims as the ‘*Historia dedicationis*’ confirms.⁷² Nobody has ever argued that the pope could celebrate councils only in Rome or only in the empire.⁷³ The apparent innovation at the council of Rheims was due to force of circumstance: the French king and his advisers were unwilling to have French clergy subjected to the kind of papal reform legislation which already had created havoc in April 1049 at Rome⁷⁴ and refused to collaborate. Leo decided to proceed on his own, thus revealing the increased self-confidence of the foreign successors of the Tusculan popes as well as their urgent concern for the reform of clerical morals.

A comparison of the thematically connected synods of Pavia of August 1022, held jointly by Pope Benedict VIII and Emperor Henry II, and of Leo’s three councils of 1049 reflects continuity of papal synodal traditions as well as change. The overriding concern at both was simony and married clergy, accompanied at Pavia by a theme familiar from the tenth century – lamentations over the poverty of the once richly endowed church – and at Rheims

⁶⁹ PL 143, cols. 616 ff; ‘[at Rheims] plurima ad utilitatem Christianae religionis necessaria . . . statuendo confirmavimus: quae omni capitulis digesta inter canones haberi praecepimus, et . . . in omnibus synodis quas habuimus, idipsum confirmare curavimus’.

⁷⁰ For the *Vita Leonis* see BHL no. 481. A critical edition is under preparation under the aegis of the MGH; Krause (1976).

⁷¹ *Liber diurnus*, no. LXXXIII, pp. 90–3; Santifaller (1976), pp. 81ff and pp. 226ff; Blumenthal (1988), p. 246 and n. 22. The *Liber diurnus* formula refers to seven ecumenical councils.

⁷² ‘*Historia dedicationis*’, p. 721: ‘lectis sententiis super hac re olim promulgatis ab orthodoxis patribus, declaratum est quod solus Romanae sedis pontifex universalis ecclesia primas esset et apostolicus’; p. 723: ‘quod in canonibus de sacrorum ordinum venditoribus sit decretum, iussit tantum modo recitari . . . ; lectae sunt sententiae super huiusmodi re promulgatae ab orthodoxis patribus’.

⁷³ Schmale (1976), p. 97.

⁷⁴ Hauck (1958), pp. 600–3.

by demands for canonical elections. At Pavia the pope declared the decrees of the synod universally valid and confirmed them forever as applying to all of the earth.⁷⁵ Henry II, a ruler anointed and crowned by the pope, also confirmed and approved the decisions as a loyal son, declaring them immutable public law (*publica iura*).⁷⁶ Several canons in both the papal and the royal version concerned *iudices* and *tabelliones*.⁷⁷ At least in theory, therefore, the imperial confirmation should have had a practical effect. But neither papal nor imperial confirmation seem to have been effective, as Leo's legislation of 1049 goes to show. The lack of approval by the French king Henry I at Rheims, therefore, cannot have distressed Leo to any notable extent, especially given the division of the secular sovereignty between king and princes in France. The princes were not powerful enough to maintain their customary rights over and against the reformed papacy and King Henry could decide upon neutrality quite readily, since only theoretical rights were threatened.⁷⁸ Pope Leo IX, as we have seen, did not hesitate to order the addition of his synodal decrees to the canons of the old ecumenical councils in terms recalling thematically the announcement of Benedict VIII at Pavia.⁷⁹ He had arrived at Rheims fresh from the council of Mainz which he had celebrated jointly with Emperor Henry III. As in Italy and at Mainz, so at Rheims he obliged bishops who were accused of simony or nicolaitism to clear themselves by oath. Throughout his reign (1049–54), he travelled from synod to synod, consecrated churches and altars and protected abbeys and monasteries through papal privileges. The response was overwhelming. Abbot John of Fécamp praised Leo IX in the most extravagant terms, singling out for special mention the synods held north of the Alps:

For who has not wondered and erupted into jubilant applause seeing the care of this pastor, unheard of in our times? He who was not content to advise the one people of his own see of the city of Rome, or only to irrigate the Italian soil with heavenly words, but who in addition perambulated and nourished the transalpine churches with synodal examination, and who... quickly emended and corrected... through ecclesiastical censure and rule. *Ave, Pater papa mirabilis...*⁸⁰

The general enthusiasm for reform measures promulgated by the popes beginning with Leo IX on occasions such as synods is one of the distinguishing characteristics of the papal councils of the second half of the eleventh century.

⁷⁵ *MGH Constitutiones*, I, no. 34, pp. 70–7, at p. 75: 'Et ut firmum posthac quod sancimus permaneat et in fines orbis terrae conservandum perveniat, totius huius summa sententiae hac nostri forma decreti, fratribus et coepiscopis nostris subscribentibus, confirmabitur.'

⁷⁶ *Ibid.*, p. 76: 'Omnia quidem, quae pro ecclesiae necessaria reparatione synodaliter instituit et reformavit paternitas tua, ut filius laudo, confirmo et approbo.'

⁷⁷ *Ibid.*, cc. 4, 6 and 7. ⁷⁸ Kempf (1969), pp. 194–7; Becker (1955).

⁷⁹ See n. 75 above. ⁸⁰ *PL* 143, cols. 797–800, at col. 797.

The other is the vastly expanded exercise of papal jurisdiction over clergy and laity, including kings and emperors,⁸¹ at both papal and legatine synods. Leo's successors Urban II, Paschal II and Calixtus II still held synods in France – particularly famous is Urban's council of Clermont in 1095 which initiated the First Crusade⁸² – but more usual were Italian, especially Roman, councils when the popes were in control of the Eternal City. Synods were held frequently. Attendance became obligatory for archbishops, bishops and abbots from throughout Latin Christendom. They were invited by the popes or might be cited to appear before them. Failure to come to Rome, or to attend legatine councils closer to home, automatically brought with it excommunication, even if the individual concerned had grown grey in devoted service to the Roman church.⁸³ Some of the entries in the official register for the synods of Gregory VII look like mere lists of excommunicated and/or suspended members of the nobility, including Philip I of France and Henry IV of Germany, and of ecclesiastics, usually because they had failed to attend as requested.⁸⁴ Pastoral concerns were perhaps always present, but were rarely thought worth recording, it seems; after all, the care of souls was the primary duty of every priest and especially of the pope.⁸⁵ What needed to be recorded was the relationship between the pope and individual clerics and laymen if it was in any way unusual.⁸⁶

Often the expansion of the sphere of papal and legatine jurisdiction was the result of appeals to Rome. Appeals from imperial Germany usually were complaints by a lower ranking member of the hierarchy against a superior, as for example in the case of the canons of Bamberg against their Bishop Hermann because of his monastic policy; or of the monks of Reichenau against an abbot whom they were refusing to accept. Papal synodal judgement for much of the period tended to favour the appellants, provoking fury and indignation among the episcopate everywhere, but especially in Germany. The Declaration of Worms of January 1076, withdrawing obedience from Gregory VII, claimed that parishioners had been given to understand that only the pope himself or his legate could condemn or pardon individuals who had approached the pope;⁸⁷ as far as he could, the bishops wrote, Gregory had deprived them of all power which was known to have been granted to the bishops divinely through

⁸¹ *NCMH*, IV, Part I, ch. 9. ⁸² Somerville (1990), nos. VII and VIII.

⁸³ Blumenthal (1978), pp. 99ff for the council of Troyes (1107).

⁸⁴ Gregory VII, *Register*, II, 52a, III, 10a, and VIII, 20a, are telling examples.

⁸⁵ For Urban II see Somerville (1990), no. v; for Gregory VII, *Register*, v, 14a, and VII, 14a. The synodal records in Gregory's register are clearly incomplete: Somerville (1989), p. 35.

⁸⁶ The *Liber pontificalis* customarily recorded papal ordinations at the end of the *vita* of each pope. Gregory VII, *Register*, I, 85a (year-end summary or *Jahresschlussbericht*), likewise recorded the names of archbishops and bishops who had been consecrated by the pope, but then went on to record also the other side of the coin; specifically, the excommunication of Robert Guiscard and his followers.

⁸⁷ Henry IV, *Die Briefe*, p. 67, lines 4–8; Schieffer (1972), p. 46 n. 138.

the Holy Spirit.⁸⁸ This is exaggerated, but not by much. The popes of the reform period vigorously acted upon their claim to jurisdiction of the *causae maiores*. The relevant Pseudo-Isidorian material, the related conciliar canons of Nicaea and Sardica as well as the decretals of Innocent I, Leo I and Nicholas I can be found in all of the eleventh- and early twelfth-century canonical collections, ending up in the *Decretum* of Gratian of c. 1140 (c.2 q.6 c.3ff).⁸⁹

The difference in this respect between the early and the late eleventh century cannot be over-emphasized, although the much-maligned Roman popes of the later tenth and early eleventh centuries in theory had always held firmly to certain basic principles, such as the papal right to bestow the pallium on metropolitans, the pope's competence in the trials or disputes of bishops, and last but not least the pope's jurisdiction over all the faithful. Disputes over the archbishopric of Rheims had pitted French bishops and abbots against the papacy at the synod held in the monastery of St Basle at Verzy in 991, and even more pointedly at the meeting held at Chelles, probably in 994. Pope John XV (985–96) refused to yield at the time, but the Carolingian Arnulf who had been deposed by the French was returned to the see of Rheims only by default, and, ironically, by a dispensation granted by Pope Sylvester II (999–1003). Sylvester, before his election Gerbert of Aurillac, had been Arnulf's opponent as Capetian-supported archbishop of Rheims.⁹⁰ Benedict VIII, the first pope from the house of Tusculum, ably maintained papal jurisdictional supremacy both with regard to the English clergy, supported by King Cnut, and with regard to Archbishop Aribio of Mainz. In 1017, on a pilgrimage to Rome, Archbishop Lyfing of Canterbury requested the archiepiscopal pallium from Benedict in accordance with a respective papal demand, but not without a strong protest. The English clergy claimed as customary right the consecration of their metropolitans and asserted that the pallium had always been sent by Rome. Their ire had been caused last but not least by the papal demand for fees in return for the pallium. They castigated the practice as heretical simony.⁹¹ The opposition of Aribio of Mainz to Benedict is more complex. Countess Irmingard of Hammerstein had appealed to Benedict in 1023, after a synod held at Mainz had dissolved her marriage to Otto of Hammerstein because of consanguinity. In response to the appeal, the synod of Seligenstadt issued a decree in 1023 that no penitent was allowed to seek absolution in Rome or to appeal there before he had obtained his own bishop's permission and

⁸⁸ Henry IV, *Die Briefe*, p. 66, lines 19ff: 'Sublate enim quantum in te fuit, omni potestate ab episcopis, que eis divinitus per gratiam sancti spiritus . . . collata esse dinoscitur.'

⁸⁹ Maleczek (1981), p. 60 n. 135; Gregory VII, *Register*, II, 55a, c. 21: 'Quod maiores cause cuiuscunque ecclesie ad eam [ecclesia romana] referri debeant'; Robinson (1988), pp. 272ff; Winroth (2000).

⁹⁰ Kempf (1969), p. 299, highlighted the important principles involved.

⁹¹ Hermann (1973), pp. 109–17; Barlow (1963), p. 299.

had performed the penance imposed. The quarrel between pope and synodal assembly in the care of Aribio of Mainz was ended by Benedict's death in 1024, when pressure by King Conrad II induced Aribio to abandon the proceedings against Irmingard. All of these cases show that the papacy certainly intended to maintain its rights, and, moreover, was successful when occasion demanded. But this is just the point – when occasion demanded – and there was not much demand for papal intervention, nor did the popes choose to intervene on their own. The church reform in the mid-eleventh century ushered in a radical change in this respect.

In keeping with tradition, the *causae maiores* which came before the popes of the reform period were often adjudicated in papal synods, or by a papal legate at a more local council. Not least for this reason, papal synods became the chief forum for papally led ecclesiastical reform; the large number of attendees, in addition to papal letters and papal legates – often specially sent out to re promulgate decrees from papal councils at local synods – soon came to ensure a relatively wide dissemination of canons and judicial decisions made at such councils. Eventually, it became customary for synods to entrust committees of papal advisers with the preparation of documents or cases that were to be submitted for approval either to the entire council or to the pope. At the Lateran council of March 1112, when the investiture concession granted under duress by Pope Paschal II to Henry V was revoked, Paschal confessed that the privilege for the emperor was invalid⁹² and ordered that it should be corrected by the advice and judgement of the assembled brethren. In response, the synod formed a committee of cardinals and bishops who presented a corresponding resolution on the following day. It was unanimously accepted by the council and is preserved with the inscription *actio concilii contra heresim de investitura*.⁹³ It is sometimes assumed that such committees were the forerunner of the thirteenth-century consistory which eventually was composed of cardinals and came to replace the councils. However, this is not the case, for as late as the reign of Pope Innocent III the term consistory described solemn, publicly held judicial proceedings.⁹⁴

The fragmentary nature of the information preserved in often unedited manuscripts of the period has often been stressed, as well as the resulting uncertainty about conciliar proceedings in the early twelfth century. Robinson's description of some of the better known synods illustrates the point clearly.⁹⁵

⁹² *Liber pontificalis*, II, p. 370, lines 7–20, with the reference *pravefactum* for the document which hence is called *pravilegium* in the revocation.

⁹³ *MGH Constitutiones*, I, p. 571 with recension 1.

⁹⁴ Maleczek (1984), pp. 299–302, proving with a wealth of evidence the distinction between the advisory meeting of the cardinals (*Ratsversammlung*) and the *consistorium*.

⁹⁵ Robinson (1990), pp. 121–35; Somerville (1990), nos. V and VII; Schmale (1976).

Surviving records, however, irrespective of the ever changing relationship between individual popes and the assembled fathers, leave no room for doubt that papal councils now held the central position in the life of the Latin church; that numerous archbishops, bishops, abbots and prominent laymen attended the regularly held synods from throughout Europe; that although the lower clergy is rarely mentioned by name, their presence is pointed out. Moreover, late eleventh- and twelfth-century councils were purely papal affairs. After the death of Henry III in 1056 no pope ever again jointly presided with an emperor. Popes promulgated canons and judicial decisions, known as the *acta* of the councils, at the conclusion of councils without reference to secular authority. Papal synods had become general or universal councils. By the sixteenth century, some of them, beginning with the First Lateran Council of 1123, were regarded and counted as ecumenical councils in the western church.⁹⁶ A canonical principle, based on the early ninth-century Pseudo-Isidorian Decretals and formulated in the *Decretum* of Bishop Burchard of Worms (d. 1025), had shown its effectiveness in forming mental attitudes as well as papal practice during the reform: 'The apostolic see has been entrusted with the right to convoke synods by special empowerment; we do not read anywhere that a general synod is legal which has not been assembled or supported by its authority.'⁹⁷ In 1117 Paschal II wrote to Count Roger of Sicily, confirming but also limiting the privilege Roger's father, Robert Guiscard, had been granted by Pope Urban II. In his letter Paschal specifically excluded the count from the right to convoke synods, his legatine powers notwithstanding. Only the pope had the right to convene councils, and only he could decide to do so through his special legate in the case of Sicily. How could it be otherwise, Paschal asked rhetorically.⁹⁸

THE COLLEGE OF CARDINALS

In 1148, the cardinals accompanying Pope Eugenius III to the synod of Rheims complained bitterly about Bernard of Clairvaux who had deprived them of their prerogatives. They were able to force Eugenius's hand. He rescinded the decisions of Bernard and his friends with regard to Gilbert of Poitiers, postponing the discussion for a future occasion.⁹⁹ By that time the college of cardinals had accumulated most of the powers that pertain to it to this very day, such as the papal elections. The cardinals indeed had become the 'spiritual senators of the universal church' as Peter Damian (+1072), himself cardinal

⁹⁶ Fuhrmann (1961), pp. 677–89.

⁹⁷ Burchard of Worms, 'Decretorum libri xx', I, 42 (*PL* 140, col. 561): 'Synodorum . . . congregandarum auctoritas apostolicae sedi privata commissa est potestas. Nec ullam synodum generalem ratam esse legimus, quae eius non fuerit auctoritate congregata vel fulta'; Fuhrmann (1961), pp. 683ff.

⁹⁸ *JL* 6562. ⁹⁹ Robinson (1990), p. 109.

bishop of Ostia since late 1057, had called them.¹⁰⁰ Advisory functions in the church government, subscriptions under privileges as well as acts, participation in the judicial supremacy of the papacy and the papal election gradually had become their inalienable prerogatives from the reign of Leo IX onwards.¹⁰¹ The term cardinal is much older, but underwent a pronounced change in meaning under the popes of the reform period: its liturgical significance was gradually superseded by its political connotations. Klewitz recognized the reforms of Leo IX as the ‘birth’ of the college of cardinals.¹⁰²

In the early twelfth century the college of cardinals included three ranks: bishops, priests and deacons. The title with the most ancient history is that of cardinal bishop. From the fourth century on bishops from certain dioceses in the vicinity of Rome, the suburbicarian sees, appear in the entourage of the pope. By then the bishop of Ostia already had the prerogative of consecrating the newly elected pope, assisted by the bishops of Porto and Albano. The constant number of seven cardinal bishoprics emerges first in the eighth century, but for practical reasons, impoverishment and depopulation, as well as political reasons the names of the seven suburbicarian sees kept changing until, by the mid-twelfth century, the number seven ceased to matter.¹⁰³ Ordinarily included were the bishoprics of (Velletri-) Ostia, Albano, Porto, Palestrina, (Silva Candida-) Tivoli, (Gabi-Laticum-) Tusculum and Sabina. According to the *Vita* of Pope Stephen III (768–72) in the *Liber pontificalis*, this pontiff associated the ‘cardinal’ bishops with the liturgy at the Lateran basilica, functions still clearly delineated in the *Descriptio ecclesiae Lateranensis* from c. 1100.¹⁰⁴ ‘However, the seven bishops who are the vicars of the lord pope and who celebrate masses there at the altar of the Saviour, shall divide oblations with the clerics of the church [the Lateran basilica], and when the week has been completed they shall return to their sees.’¹⁰⁵ The term ‘cardinal’, therefore, described a cleric who celebrated the liturgy on a regular basis at a church other than his church of ordination. According to Leo IX, however, the term pointed to the close association of the cardinals with the Roman church, the *cardo* (hinge) and *caput* (head) of the entire church.¹⁰⁶ At that time this etymology was erroneous, for cardinals were to be found in non-Roman churches as well.

Under Leo IX and his successors these liturgical functions of the Roman cardinals quickly receded into the background. Instead, they became increasingly active in papal government and were to be found among the foremost

¹⁰⁰ *Contra philargyriam* = Peter Damian, *Die Briefe*, part 3, pp. 64–83, at p. 80, line 18; Kuttner (1945), p. 174 n. 100.

¹⁰¹ Maleczek (1981). See also n. 113. ¹⁰² Klewitz (1936); Huels (1977). ¹⁰³ *Ibid.*, p. 4.

¹⁰⁴ *Ibid.*, pp. 38–44. ¹⁰⁵ Valentini and Zucchetti (1946), III, pp. 360ff.

¹⁰⁶ See n. 115.

collaborators of the popes. When the election decree of 1059 was issued under Pope Nicholas II in 1059, the leadership role of the cardinal bishops was already prominent.¹⁰⁷ The responsibility for the reform of the church rested upon their shoulders. Leo himself apparently nominated only Humbert of Moyenmoutier as cardinal bishop of Silva Candida in 1050; Bonizo's references to Azelin of Sutri, who had come from Compiègne, are unclear. Victor II (1055–7) was the next pope who could fill a vacant suburbicarian see. He selected an Italian monk, Boniface, for the see of Albano. Peter Damian, also Italian, was named to the cardinal bishopric of Ostia by Pope Stephen IX (1057–8) at the urging of Hildebrand, the later Gregory VII. When Stephen died in 1058 at Florence, the Roman opposition took advantage of the absence of curia and elected cardinal bishop John of Velletri as successor. John chose the name Benedict X, reviving the Tusculan tradition, not a surprising move given that his most prominent noble supporters were Count Gregory II of Tusculum, Count Gerard of Galeria and the sons of Crescentius of Monticelli. However, only one other cardinal bishop, Rainerius of Palestrina, also abbot of the monastery of SS. Cosmas and Damian (S. Cosimato) in Trastevere, supported John, thus defying the express wishes of Stephen IX. With the defeat of this opposition clustered around Benedict X by about 1060, all of the cardinal bishops could be considered supporters of the reform. The victory was an astonishing success for the papacy, when it is remembered that the lands surrounding the sees of Albano, Palestrina, Velletri, Sutri and Tusculum were in the hands of the feudal nobility. The hold on the papacy by magnates propertied in and around Rome had been broken. The election decree of 1059 took advantage of the situation. The decree which was solemnly promulgated stipulated in part that the cardinal bishops were to debate papal elections in the first instance; subsequently the other cardinals should be admitted to their deliberations and finally, once the election had been determined, the remaining Roman clergy and the laity were to give their consent.¹⁰⁸ The rights of the Romans were strictly limited, the decree explains, because they usually voted on the basis of blood relationship or in return for payments; in other words, they committed simony, an unforgivable crime in the eyes of the reformers.

By the early twelfth century the cardinal bishops had to share their responsibilities with cardinal priests as well as cardinal deacons.¹⁰⁹ The complex history of the deacons has been elucidated by Huels in the context of the schisms of the

¹⁰⁷ Jasper (1986). ¹⁰⁸ *Ibid.*, pp. 101–4.

¹⁰⁹ Klewitz (1936), p. 20 n. 1, with the pertinent text of the *Descriptio*: 'Quando papa S. Petri vicarius in dominicis vel in praecipuis sollempnitatibus missam celebrat in altare s. Salvatoris Lateranensis ecclesiae . . . praedicti VII episcopi debent assistere cum XXVIII cardinalibus totidem ecclesiis infra muros urbis Romae praesidentibus . . . Debent etiam ibi praesens esse archidiaconus Romae cum VI diaconibus palatinis . . . et alii XII diacones regionarii.'

Investiture Controversy.¹¹⁰ As for the cardinal priests, a privilege of Pope John VIII that granted corporate jurisdiction over the clergy and laity of Rome to the cardinal priests is probably not authentic.¹¹¹ The *Descriptio*, however, speaks in glowing terms of the privileges of both the cardinal priests and the bishops. They supposedly had the right to judge all bishops of the entire Roman empire – the ancient Roman empire is surely meant – at all the councils or synods which they attended.¹¹² Since at least the fourth century, the presbyters or priests of Rome were associated with specific title churches, churches originally taking their name from private houses which had served as places of worship for Christians before their place was taken by public buildings such as basilicas. For the early fifth century twenty-five title churches are known. Klewitz deduced from the evidence a system of 5×5 , associating title priests of groups of five churches each with weekly liturgical functions at the five patriarchal basilicas of medieval Rome: S. Paolo fuori le mura, S. Lorenzo f.l.m., S. Maria Maggiore, St Peter and the Lateran basilica. This hypothetically reconstructed system must have changed when Pope Stephen III entrusted the cardinal bishops with liturgies at the Lateran, reviving ancient traditions. The *Descriptio* of c. 1100 reflects an arrangement which linked seven cardinal priests with each of the four remaining major basilicas, reserving the services at the Lateran to the cardinal bishops.¹¹³ The names of twenty-eight title churches are given in the document, but only four of them are represented by signatures under the election decree of 1059. One additional piece of information is a grant of Pope Alexander II. It reserved to the cardinal priests rights of a quasi-episcopal jurisdiction in their titles.¹¹⁴

The primary attention of the reform papacy was focused on the cardinal bishops. Pope Leo IX took up the Pseudo-Isidorian definition of *cardo*, hinge, as pointed out earlier. In this view the apostolic see becomes the head and hinge of the universal church; writing to the patriarch of Constantinople Leo declared in 1054 that ‘like the immovable hinge which sends the door forth and back, thus Peter and his successors have the sovereign judgment over the entire Church... Therefore his clerics are named cardinals, for they belong more closely to the hinge by which everything else is moved.’¹¹⁵ These, his clerics, were the cardinal bishops. Given the traditional role of the cardinal priests and deacons of Rome, it is not surprising that these groups protested vehemently against the singling out of the neighbouring bishops. The cardinal presbyter

¹¹⁰ Huels (1977), pp. 14ff, 255–72. ¹¹¹ Kuttner (1945), pp. 173 and 193–7.

¹¹² *Ibid.*, p. 177, points out that this privilege is shared by bishops and priests. And the passage is always understood in this sense. The Latin, however, is ambiguous. See Klewitz (1936), p. 20.

¹¹³ Klewitz (1936), pp. 56–60 and *ibid.*, p. 16 for the *Descriptio* text; Huels (1977), pp. 8–14.

¹¹⁴ JL 4736; *Regesta pontificum Romanorum: Italia pontificia*, 1, p. 7, no 9; Kuttner (1945), p. 176 n. 105.

¹¹⁵ Kuttner (1945), p. 176, whose translation I quote.

of S. Pietro in Vincoli, Deusdedit, emerged as one of their chief spokesmen, although he remained a staunch supporter of the reform popes throughout his life. Among long forgotten documents which Deusdedit brought back into circulation by including them in his canonical collection (1087) and his *Libellus adversus simoniacos*, completed shortly before his death in either 1098 or 1099, was a decree from the Roman synod of 769. The 769 canon stipulated that only a cardinal priest or deacon could be elected to the Holy See, and, furthermore, that priests, ecclesiastical magnates and the entire clergy of the Roman church were to carry out the election.¹¹⁶ Both points were flatly contradicted by the election decree of 1059. And not by accident. Deusdedit's preface, dedicating his canonical collection to Pope Victor III in 1087, railed against the 1059 provisions, stating that they violated every single one of the decrees of God and of the holy fathers.¹¹⁷ In keeping with his view of the role of the Roman cardinal priests and deacons is Deusdedit's interpretation of Isidore's definition of *cardo* which he expressed in the second book of his collection (II. 160). According to Deusdedit's text the cardinals themselves are responsible for leading the people of God to eternal salvation. They are the kings who rule the people; they are the hinges which move the door – and heaven revolves around them.¹¹⁸

Not much might have come of these apparently extreme claims despite Deusdedit's prominent position in the circle of the reformers, had it not been for the Wibertine schism. When in 1084 the Romans finally opened their gates to Henry IV and the pope-elect Wibert of Ravenna (Clement III), they were influenced in no small part by the action of the Roman clergy, especially cardinal priests and deacons, who had deserted the cause of Gregory VII. With one exception, the cardinal bishops had remained loyal to the pope. The hostile schismatic cardinal Beno blamed Gregory for separating the bishops from the consortium of the Roman cardinals, 'because their hand had been forced by Gregory'.¹¹⁹ The loyalty of most of the recently appointed bishops can be readily explained, however, by their prominent place in the papal government. The absence of such a role and the attendant loss of dignity for the churches of Roman priests and deacons equally well explains a good deal of the antagonism of the latter. Klewitz noted that during the pontificate of Urban II seventeen

¹¹⁶ Deusdedit, *Kanonessammlung*, II. 261 and II. 262 (p. 268). Interesting is the differentiation of *laici* and *proceres ecclesie* in II. 262.

¹¹⁷ *Ibid.*, *Prologus*, pp. 4ff, lines 30ff. Victor III had signed the 1059 decree as cardinal priest of S. Cecilia and was clearly meant by Deusdedit's *quidam*.

¹¹⁸ *Ibid.*, II. 160 (p. 268): 'Sicut a basibus... basilei idest reges dicuntur, quia populum regunt: ita et cardinales deriuatiue dicuntur a cardinibus ianue, qui tam regunt et mouent, quod plebem dei... moueant. Item cardinales mundi duo sunt in septemtrione et meridie et ideo dicuntur cardines, quia in ipsis uoluitur celum.' See Kuttner (1945), pp. 176ff. for additional texts from the collection extolling the lower ranks of the cardinals.

¹¹⁹ The list of the names is found in the contemporary *Gesta Romanæ Ecclesiæ contra Hildebrandum* = *MGH Libelli*, II, pp. 369–422, here p. 369, lines 19ff; Zafarana (1966).

cardinal presbyters supported the antipope Clement as well as about half of the cardinal deacons at any one time.¹²⁰ The relationship between ‘orthodox’ pontiffs and the Roman cardinals remained extremely fluid, however, especially after the popes had allied themselves with the ‘new’ Pierleoni and Frangipani families and thus garnered magnate support.¹²¹ Because of Beno’s pronounced hostility to Gregory, too little weight is sometimes given to his accusation that Gregory had dismissed the cardinals from his counsel and had not consulted them when he suddenly excommunicated Henry IV without calling a synod and without the subscription of the cardinals.¹²² Wibert–Clement turned this situation to his favour, giving cardinal presbyters and deacons a prominent place in his administration – and among the signatories to his privileges. Gregory’s legitimate successors, Urban II and Paschal II, had to follow suit. The support of the cardinal presbyters was vital for any pope who wished to maintain himself in Rome. The result was an undivided college of cardinals which successfully asserted and maintained its increasing share in the papal government.

¹²⁰ Klewitz (1936), pp. 70–6.

¹²¹ Huels (1977), pp. 255–72.

¹²² *Liber pontificalis*, II, p. 370.

CHAPTER 13

THE PAPACY, 1122–1198

I. S. Robinson

YOU ought to bear in mind that you are the model of righteousness, the mirror of sanctity, the pattern of piety, the declarer of truth, the defender of the faith, the teacher of the nations, the leader of Christians, the friend of the Bridegroom, the Bridesman, the ordainer of the clergy, the shepherd of the people, the master of the simple, the refuge of the oppressed, the advocate of the poor, the hope of the wretched, the protector of the orphans, the judge of the widows, the eye of the blind, the tongue of the dumb, the support of the old, the punisher of crimes, the dread of the wicked, the glory of the good, a rod for the powerful, a hammer of tyrants, the father of kings, the moderator of the laws, the dispenser of the canons, the salt of the earth, the light of the world, the priest of the Most High, the vicar of Christ, the Lord's anointed: finally, the God of Pharaoh.¹

This influential description of the spiritual, judicial and charismatic elements of the pope's authority is found in the treatise *De consideratione* (1148/9–1152/3) which Bernard of Clairvaux addressed to his former pupil, Pope Eugenius III. The author drew especially on the language of the Old Testament, including his favourite imagery from the Song of Solomon: 'the Bride' of that book was Bernard's most frequent image for the church; 'the friend of the Bridegroom' (that is, of Christ) was his characteristic term for the pope. The Old Testament prophets and patriarchs also inspired him with striking images of papal intervention in the church and the world, notably that final designation in his list of papal titles, which would so much preoccupy the theologians and canonists of the later middle ages. As 'the God of Pharaoh' (the allusion is to Exodus 7:1), the pope must, like Moses, wield his awesome power against tyrants who tried to hinder the progress of God's people along the way of righteousness. While later medieval theologians and jurists thought of these Bernardine titles as designating the rights and prerogatives of the papacy, for Bernard himself they signified the *duties* of the pope, who must always be active in exhorting and correcting the people of Christendom.²

¹ Bernard of Clairvaux, 'De consideratione' iv. 7.23.

² Rivière (1924), p. 278; Congar (1955), p. 85.

Bernard linked the title 'vicar of Christ' with the universal authority of the pope over both the secular and the spiritual sphere. In his allegorical interpretation of the story of St Peter walking on the sea (Matthew 14:29), noting that 'the sea is the world, the ships are the churches', he wrote that 'by walking on the waters in the manner of the Lord, he designated himself the unique vicar of Christ, who ought to rule not over one people but over all'.³ The extraordinary influence of Bernard's work ensured that this became the standard meaning of the ancient title *vicarius Christi*, just as it also guaranteed the survival of his version of the 'doctrine of the two swords'. The Gospel text Luke 22:38 – 'And they said, "Lord, behold, here are two swords." And He said to them, "It is enough"' – had since the ninth century been interpreted as referring to the 'material sword' of secular coercion and the 'spiritual sword' of excommunication. Bernard's decisive addition to the traditional interpretation of the text was his claim that both these swords belonged to the pope, as the successor of Peter, the prince of the apostles. Addressing Eugenius III, he wrote:

If [the material sword] did not belong to you, when the apostles said, 'Behold, here are two swords', the Lord would not have replied, 'It is enough', but 'It is too much'. Therefore both the spiritual and the material sword belong to the church; but while the former is unsheathed by the church, the latter is unsheathed for the church.⁴

Bernard's interpretation of the 'two swords' sprang from his preoccupation with the specific issue of the pope's responsibility for launching a crusade. 'Put forth both swords, now that Christ is suffering again where he suffered before', he exhorted Eugenius III in 1150. 'Both are Peter's, the one to be unsheathed at his nod, the other by his hand, whenever necessary.'⁵

The claim that the material sword belonged to the church – that secular power was to be exercised at the pope's command – had implications of universal papal lordship which are never discussed in Bernard's writings. Throughout the twelfth century scholars debated the meaning of the allegory of the two swords and the precedents for the papal deposition of kings inherited from the Gregorian papacy of the late eleventh century. For Paul of Bernried, writing his biography of Pope Gregory VII in 1128, the political authority claimed by that pope was still the most vital aspect of the papal primacy: the Roman church is 'the head and mistress of all religion . . . whose prerogative it is to correct the powerful of the world before all others'.⁶ This Gregorian notion of the papal duty of *correctio*, inspired by the conduct of the Old Testament prophets, assumed that the pope must supervise the conduct of secular princes, rebuking the disobedient and deposing and replacing those who were not 'suitable' (*idoneus*). The Gregorian view is reflected in Bernard of Clairvaux's idea of the

³ Bernard, 'De consideratione' 11.8.16. ⁴ *Ibid.* IV. 3. 7. See Stickler (1951); Kennan (1967).

⁵ Bernard, 'Epistola' 256.1. ⁶ Paul of Bernried, 'Vita Gregorii VII papae' c.61, p. 507.

pope as ‘a rod for the powerful, a hammer of tyrants’ and ‘the God of Pharaoh’. It is also echoed in a passage of Hugh of St Victor’s treatise on the sacraments (c. 1134) which papalists in the later middle ages would cite in defence of papal supremacy in secular affairs.

As the spiritual life is more worthy than the earthly and the spirit is more worthy than the body, so the spiritual power is superior to the earthly or secular power in honour and dignity. For the spiritual power must establish the earthly power in order that it may exist and must judge it if it has not been good.⁷

The most influential canon lawbook of the twelfth century, the *Decretum* of Master Gratian of Bologna (c. 1140), devotes little space to the relations of the papacy and the secular power. True to the dialectical method followed throughout his work, Gratian cited ‘authorities’ both for and against the Gregorian view of papal supremacy over secular affairs. The only personal opinion which the canonist was willing to give on this subject was that ‘there are two persons by whom this world is ruled, namely the royal and the priestly. Just as kings are pre-eminent in the affairs of the world, so priests are pre-eminent in the affairs of God.’⁸ Gratian here adopted not the Gregorian view of the relations of the two powers, but the traditional view that the Gregorian papacy had contradicted: the doctrine enshrined in the famous letter of Pope Gelasius I to Emperor Anastasius I (494), that the spiritual and the secular powers were both divinely ordained to govern, neither being subject to the authority of the other.⁹ Elsewhere in the *Decretum*, however, Gratian cited Gregorian material under a rubric which paraphrased Gregory VII’s own view of the supremacy of the spiritual power: ‘Priests are considered the fathers and masters of kings and princes.’¹⁰ Consequently the ‘Decretists’, the legal experts who composed commentaries on the *Decretum* during the second half of the twelfth century, could develop from their master’s text either a ‘Gelasian’ or a ‘Gregorian’ view of the relations of the two powers.

Two famous Decretists writing not long after the publication of Gratian’s work chose to elaborate the Gregorian materials in the *Decretum*. The researches of Master Roland of Bologna (who has often, although on insufficient evidence, been identified with Roland Bandinelli, the future Pope Alexander III) uncovered claims of Gregory VII concerning the deposition of kings that were more sweeping than was evident from Gratian’s selection of Gregorian

⁷ Hugh of St-Victor, ‘De sacramentis Christiane fidei’ II.2.4, p. 418. See Kempf (1963), p. 33; Ullmann (1970), pp. 440–1.

⁸ Gratian, ‘Decretum’ c.2 q.7 *dictum Gratiani post* c.41. See Kempf (1963), p. 27.

⁹ Gelasius I, *Epistola* 12 (JL 632), ed. A. Thiel, *Epistolae Romanorum pontificum genuinae*, 1 (Braunsberg, 1868), p. 350. See Ullmann (1981), pp. 198–212.

¹⁰ Gratian, ‘Decretum’ D.96 c.9–10 (paraphrasing Gregory VII, *Register* VIII.21).

material. Roland drew from his findings the conclusion that 'the pope may transfer the kingship and may depose the emperor'.¹¹ Rufinus of Bologna (later bishop of Assisi and archbishop of Sorrento) in his *Summa decretorum* (1157–9) concluded that

the supreme pontiff, who is the vicar of blessed Peter, holds the rights of the earthly kingdom. But it must be noticed that the right of authority is one thing and the right of administration another... The right of administration is like the function of a steward [employed by a bishop], who has the right of administration but lacks the authority of command: whatever orders he gives to others, he imposes by the authority of the bishop [who employs him]. The supreme patriarch holds the right of the earthly empire in respect of authority, in the sense that, firstly, he confirms the emperor in the earthly kingdom by his authority when he consecrates him and subsequently by his sole authority he punishes both the emperor and other secular rulers if they abuse their secular power and he absolves them after they do penance. The secular prince indeed, after [the pope], possesses the authority to rule secular men and he holds the office of administration apart from [the pope].¹²

Rufinus attributed to the pope 'authority' over 'the earthly empire', based on the long acknowledged right of the pope to officiate at the imperial coronation and on the Gregorian idea of the papal *correctio* of delinquent secular rulers. He used the striking analogy of the secular ruler as a steward, as the agent of the pope, 'after' whom he governs his subjects. The canonist's distinction between 'the right of authority' and 'the right of administration' corresponded to that made in scriptural language by Bernard of Clairvaux: the material sword is 'to be unsheathed at [the pope's] nod', but unlike the spiritual sword of excommunication, it cannot be unsheathed by the pope's own hand.

Decretist opinion in the later twelfth century, however, seems more frequently to have inclined towards the 'Gelasian' view of the relations of the two powers. In his *Summa* (c. 1170) the illustrious canonist Stephen of Tournai ascribed to the pope a 'spiritual empire' (*imperium spirituale*) but did not claim for him the authority to institute secular monarchs and to supervise their government. According to tradition the pope sanctified the new emperor through the ceremony of the imperial coronation but he did not create the authority of one who was 'king by election, emperor by unction'.¹³ The Decretist Simon of Bisignano quoted in his *Summa* of 1177–9 the opinion of an earlier master, 'Cardinal Albert' (who has sometimes been identified as Albert of Morra, the future Pope Gregory VIII): 'the emperor does not hold the power of the sword from the pope'. Simon added his own, similarly Gelasian, view of the 'two

¹¹ Roland, 'Stroma ex decretorum corpore carptum' D.96 c.10, pp. 11–12. See Kempf (1963), p. 34; Noonan (1977).

¹² Rufinus, *Summa Decretorum* D.22 c.1, p. 47. See Benson (1968), pp. 74–5.

¹³ Stephen of Tournai, *Summa* D.22 c.1, p. 32.

swords': the emperor received 'the power of the sword' from God and was 'greater than the pope in temporal matters'.¹⁴ By the time that the great Master Huguccio of Pisa restated the Gelasian doctrine in his *Summa* (c. 1190), he was representing the view of many canonists. 'Both powers, namely the apostolic and the imperial, were instituted by God; neither depends on the other and the emperor does not hold the sword from the pope. The emperor holds power in temporal affairs and the pope in spiritual affairs from God alone and it is thus that authority is separated.'¹⁵

One aspect of the Gregorian political claims at least had left a permanent mark on the twelfth-century papacy. 'The imitation of the empire', deriving from the Gregorians' preoccupation with the 'Donation of Constantine', continued to influence the ceremonial life of the pope. That fictional donation had conferred on the pope 'the various imperial ornaments and every procession of the imperial majesty' and it permitted him to 'use the tiara (*phrygium*) in processions in imitation of our imperial power'.¹⁶ Abbot Suger of St-Denis witnessed such a procession at the council of Liège in March 1131, when the entourage of Pope Innocent II, 'preparing themselves in the Roman manner, surrounding themselves with great and admirable splendour, placed on [the pope's head] a tiara, an imperial ornament like a helmet, rounded by a gold circlet, and led him, mounted on a white horse, covered with a blanket'.¹⁷ On this occasion, to mark his first meeting with the king of the Germans and future emperor Lothar III, Innocent II revived a ceremony recorded in the Donation of Constantine: the king performed the functions of a groom (*stratoris officium*) for the pope, as Constantine had allegedly done for Sylvester I. To Abbot Suger it appeared that Lothar behaved 'as if [Innocent] was his lord'.¹⁸ It was presumably this implication of papal lordship over the emperor that disturbed Frederick I Barbarossa when he was invited to perform the *stratoris officium* for Pope Adrian IV in June 1155. Only after a day spent consulting 'old records' and seeking the advice of those princes old enough to remember the events of 1131 was Frederick willing to enact the ceremony.¹⁹

The papal 'imitation of the empire' inspired Bernard of Clairvaux's famous rebuke to Eugenius III, comparing the mid-twelfth-century papacy with the condition of the primitive church. 'Peter is not known ever to have gone in procession adorned in jewels and silks nor crowned with gold nor mounted

¹⁴ Gloss of 'Albertus', quoted by Pacaut (1956), pp. 355–6. Simon of Bisignano, *Summa* D.96 c.6, quoted by Pacaut (1956), p. 356.

¹⁵ Huguccio, *Summa* D.96 c.6, quoted by Pacaut (1956), p. 365. See Watt (1965), pp. 23–5.

¹⁶ *Constitutum Constantini* c.14, p. 88; c.16, pp. 92–3.

¹⁷ Suger of St-Denis, *Vita Ludovici grossi regis* c.32, p. 262. See Klewitz (1939), p. 56; Stroll (1987), p. 122.

¹⁸ Suger, *Vita Ludovici* c.32, p. 262. Cf. *Constitutum Constantini* c.16, p. 92.

¹⁹ Boso of S. Pudenziana, 'Vita Hadriani, IV', II, pp. 391–2.

on a white horse nor surrounded by knights nor encircled by clamouring servants . . . In these respects you are the heir not of Peter but of Constantine.²⁰ Bernard himself had witnessed the triumphant return of Innocent II to Rome at the end of the papal schism of 1130–8 and his remarks may have been a response to an intensification of the *imitatio imperii* during these years, inspired by Innocent II's struggle against his rival, Anacletus II. 'The church has both elected and consecrated you as Caesar and ruler of the whole world', Innocent was told in 1137 by Cardinal Gerard of S. Croce (the future Pope Lucius II).²¹ It has been suggested that it was Innocent who installed at the entrance of the Lateran palace, as symbols of the imperial authority of the papacy, the two thrones with panels of porphyry described in the *Ordines Romani* (c. 1188). Certainly he was aware of the symbolic character of porphyry, the purple stone associated with the Roman emperors, since he was the first pope to choose a porphyry tomb for his own burial (a sarcophagus believed to have been that of Emperor Hadrian). His example was followed by Adrian IV, Lucius III and Urban III.²² To this same context of the imperial papacy of the 1130s belonged the controversial mural in the St Nicholas chapel of the Lateran palace in which Innocent II commemorated the imperial coronation of Lothar III. The German accounts of this mural (written after Frederick Barbarossa had demanded its removal in 1155) emphasize the feudal theme of the picture and its tendentious inscription. The picture showed Innocent 'seated on the papal throne and Emperor Lothar in his presence with hands folded, bowing down to receive the crown of the empire'; while the inscription read: 'The king . . . becomes the vassal of the pope and takes the crown which he gives.'²³ That the emperor ought to hold his empire by feudal tenure as the vassal of the pope had been the most radical of the political ideas of Gregory VII.²⁴

The Gregorian doctrine of the supremacy of the papacy over the empire was enunciated in the papal curia of Eugenius III – who declared that Christ 'gave to St Peter the keys of the kingdom of heaven, the power of both the earthly and the heavenly empire'²⁵ – and of Adrian IV. The last official appearance of this doctrine during our period was at the imperial assembly of Besançon in October 1157. On this occasion Emperor Frederick I and his princes were outraged by the terminology both of a letter of Adrian IV and of the papal legate who delivered the letter to the assembly. The papal letter spoke of the

²⁰ Bernard, 'De consideratione' iv.3.6.

²¹ Gerard of S. Croce, panegyric in Schramm (1968–71), iv, p. 183 n. 26. See Stroll (1987), p. 124.

²² Deér (1959), pp. 144–53.

²³ *Chronica regia Coloniensis*, p. 93. Rahewin, *Gesta Friderici imperatoris* III.10, p. 141. See Ladner (1935); Kempf (1963), pp. 23–5; Frugoni (1967); Heinemeyer (1969).

²⁴ Gregory VII, *Register* ix.3. See Robinson (1990), pp. 410–11.

²⁵ Eugenius III, JL 9149, col. 1285A.

pope 'conferring' the *beneficium* of the empire on Frederick, which, in his German translation of the letter, the imperial chancellor rendered as meaning that Frederick had 'received the imperial crown as a fief from the lord pope'. The uproar caused by this translation was aggravated by the remark of the papal legate: 'From whom does he hold the empire, if not from the lord pope?'²⁶ Adrian was obliged to pacify the emperor with a non-feudal interpretation of his original letter: 'Among us *beneficium* means not a fief but a good deed.'²⁷ During the eighteen-year conflict between empire and papacy which followed the election of Pope Alexander III in 1159 the language of papal supremacy in secular affairs disappeared from the curia. Gregorian language might be used by Alexander III's supporters – by the poet Walter of Châtillon, declaring that 'Caesar receives the temporal power from him who possesses the pastoral care',²⁸ and by John of Salisbury, urging the precedent of Gregory VII's conduct towards Henry IV²⁹ – but it was not used by Alexander's curia. The pope excommunicated his enemy, Frederick Barbarossa, and denounced him as a tyrant, but he did not claim to be able either to depose him from his office or to possess a general right of *correctio* in secular affairs. Dependent as he was for his survival on the financial and political aid of the Sicilian, French and English kings, Alexander III could not afford to alienate them by claims of papal superiority over secular rulers. Similarly during the two decades following the schism of 1159–77 the papal curia, bankrupt and war-weary, made no attempt to claim temporal supremacy.

While the idea of papal authority over 'the earthly empire' waxed and waned, the Gregorian conception of the papal primacy in the church was enthusiastically developed and consolidated by the theologians and canonists of the twelfth century. Once more the contribution that was to prove most influential was that of Bernard of Clairvaux in his treatise *De consideratione*, in which he informed Eugenius III that he had 'no equal on earth' and that to his care had been committed 'the universal church spread throughout the world, made up of all the churches'.³⁰ 'The fullness of power (*plenitudo potestatis*) over all the churches of the world has been given as a unique privilege to the apostolic see', wrote Bernard in 1135. His interpretation of the ancient term *plenitudo potestatis* was adopted by the papal chancery at the end of the century as the

²⁶ Rahewin, *Gesta Friderici imperatoris* III. 10, pp. 141, 140. The letter in question was Adrian IV, JL 10304; Rahewin, *Gesta Friderici imperatoris* III.9, pp. 139–40. See Ullmann (1954) and (1955), pp. 243–4; Heinemeyer (1969); Munz (1969), pp. 140–5.

²⁷ Adrian IV, JL 10386; Rahewin, *Gesta Friderici imperatoris* III.22, pp. 156–7.

²⁸ Walter of Châtillon, 'Carmina' II, p. 560.

²⁹ John of Salisbury, *Letters* 236, 239, 240, 242, 272–4, 298, pp. 446, 454, 458, 474, 553, 572, 574, 690. See Reuter (1984), pp. 416–18.

³⁰ Bernard, 'De consideratione' II.2.4; II.8.16. See *NCMH*, IV, Part I, ch. 11.

standard expression for the pope's supremacy over the ecclesiastical hierarchy.³¹ As 'declarer of truth' and 'defender of the faith'³² the pope used his 'unique monarchy of all churches'³³ to preserve doctrinal purity and to achieve the reform of individual churches and of the universal church. It was to the papal curia that the enemies of Peter Abelard appealed in June 1140 to secure the condemnation of 'the heretic'.³⁴ It was to the curia that the theologian Gerhoch of Reichersberg addressed his treatises calling for the reform of the church in 1142, 1151 and 1156³⁵ and Henry of Marcy, abbot of Clairvaux, addressed his appeals for the defence of the church against the heretics in southern France.³⁶

'It is understood that we have been promoted to the government of the apostolic see in order to increase religion', declared Calixtus II, 'and to establish by the authority of our office whatever is right and whatever is done for the salvation of souls.' This statement of the papal duty to promote and order the religious life appears in the papal privilege conferring protection on the 'New Monastery' of Cîteaux.³⁷ Calixtus II's privilege of 1119 for Cîteaux illustrates the papacy's principal preoccupation in its relationship with monastic reform during the twelfth century. The privilege confirmed 'certain chapters concerning the observance of the Rule of St Benedict and other matters that seem necessary in [the Cistercian] order': namely the Cistercian constitution, *Carta Caritatis*, and the original statutes guaranteeing the uniformity of the order.³⁸ The papacy had intervened in order to ensure that Cistercian monasticism was an authentic expression of *regularitas*, the correct observance of the Benedictine Rule. 'First and foremost', begins Innocent II's privilege of 1131 for the canons regular of Auxerre, 'we command that the canonical order according to the Rule of St Augustine shall be preserved in perpetuity in that church.'³⁹

The 'new orders' of the early twelfth century – the religious of Chartreuse, Cîteaux, Fontevrault, Savigny, the Knights of the Temple and of the Hospital, the canons of St Ruf in Avignon, Prémontré, Arrouaise and St Victor in Paris – were the product of local reforming initiatives, claiming to restore the ancient forms of religious life. The pope's role was not to initiate but to authenticate. Papal recognition of these experiments, in the form of a privilege granting the protection of St Peter, confirmed that they were genuine expressions of the ancient Rules by which they claimed to have been inspired. Such papal privileges were an important demonstration of the papacy's power of legitimation. The twelfth-century papal chancery was well aware of this and provided each

³¹ Bernard, 'Epistola' 131. See *NCMH*, IV, Part I, ch. 11.

³² Bernard, 'De consideratione' IV.7.23.

³³ Rufinus of Assisi, 'Sermo habitus in Lateranensi concilio', p. 117.

³⁴ Bernard, 'Epistola' 188. See Little (1973); Zerbi (1975).

³⁵ Classen (1960), pp. 181–4, 234–7.

³⁶ Henry of Marcy, abbot of Clairvaux, 'Epistola' 11.

³⁷ Calixtus II, JL 6795, col. 1147B.

³⁸ Calixtus II, JL 6795, col. 1147C. See Lefèvre (1954).

³⁹ Innocent II, JL 7486, col. 101C. See Dubois (1968), pp. 285–6.

privilege with an impressive 'primacy arenga', a protocol that reminded the recipient of the unique authority of the donor.⁴⁰ 'The holy Roman church, which holds from God a principate over all the churches', proclaims a 'primacy arenga' of Adrian IV, 'like a diligent mother provides for the individual churches with constant vigilance: all must have recourse to her, as to their head and origin, to be defended by her authority, to be nourished by her breasts and freed of their oppressions.'⁴¹

A series of papal interventions during the twelfth century demonstrated that the popes were as ready to correct deviations from *regularitas* as they were to confirm the rights of monasteries. For the generality of monasteries papal policy was stated in the First Lateran Council (1123): 'monks are to be subject to their own bishops with all humility and are to show due obedience and devout subjection in all things to them'.⁴² The council restated the ruling of the council of Chalcedon (451), curbing those aspirations for monastic liberty encouraged by the Investiture Contest. Calixtus II and the fathers in the council took seriously the charges against insubordinate monks, who 'hunger insatiably for the rights of bishops' and 'strive by fair means and foul to destroy what belongs to bishops'.⁴³ Those privileged monasteries that had been exempted from the authority of their diocesan and subjected directly to the Roman church were to understand that 'not only the correction of the persons [of the monks] but also the care and disposal of the whole monastery are [the pope's] concern'.⁴⁴ In a striking demonstration of this power of *correctio* Honorius II deposed the heads of the two monasteries that had been closest to the Gregorian papacy, on the grounds of their disobedience (1126). Abbot Pons of Cluny had fallen foul of faction-fighting in his abbey; Oderisius II of Monte Cassino was perhaps the victim of the personal enmity of the pope.⁴⁵ Innocent II demanded from the monks of Monte Cassino an oath of fidelity and obedience, which the monks declared to be contrary to their Rule (1137).⁴⁶ Eugenius III (the former Cistercian abbot of Trefontane in Rome) ordered the reform of the abbey of Fleury by the monks of Cluny.⁴⁷ He punished the disobedience of the abbey of Baumes-Les-Messiers by reducing its status to that of a priory of Cluny (1147).⁴⁸

⁴⁰ Fichtenau (1957), pp. 101–12.

⁴¹ Adrian IV, *Papsturkunden in England*, III, p. 234.

⁴² Concilium Lateranense I, c.16.

⁴³ *Chronica monasterii Casinensis* IV.78, p. 542. Cf. Council of Chalcedon, c.4, 8. See *NCMH*, IV, Part I, ch. 9.

⁴⁴ Alexander III, JL 12631, *Acta pontificum Romanorum inedita*, III, p. 242. See Maccarrone (1980), pp. 59–60.

⁴⁵ Tellenbach (1963); Hoffmann (1971); Zerbi (1972); Cowdrey (1978), pp. 181–268.

⁴⁶ *Chronicon monasterii Casinensis* IV.108, p. 572. See Schmale (1961b) p. 172.

⁴⁷ Eugenius III, JL 9632, *Epistolae pontificum Romanorum ineditae*, p. 110.

⁴⁸ Eugenius III, JL 9061, col. 1227BC. The abbey had failed to obey a papal legate. The sentence was confirmed by Adrian IV, JL 10053, cols. 1415C–1417C.

Alexander III deposed Abbot Hugh III of Cluny for the offence of supporting Emperor Frederick I and his antipope and suspended the monks' right of free election (1161).⁴⁹ Lucius III, Urban III, Clement III and Celestine III all intervened in the order of Grandmont to end the schism caused by the rebellion of the lay brothers (1185–8).⁵⁰

The twelfth-century papacy was often obliged to rely on the practical assistance of members of the religious orders to no less a degree than the Gregorian papacy in the late eleventh century. The victory of Innocent II in the schism of the 1130s owed much to the efforts of Bernard of Clairvaux and to other representatives of the new orders, like Peter the Venerable, Norbert of Xanten and Gerhoch of Reichersberg.⁵¹ If Innocent II, 'although expelled from the city, was supported by the world',⁵² it was the indefatigable lobbying of Bernard that had helped to rally this support.⁵³ Bernard's interventions in controversial episcopal elections, his efforts to secure the condemnation of the teachings of Peter Abelard and Gilbert of la Porrée and his role in preaching the Second Crusade all bear witness to his continued influence in the curia.⁵⁴ During the schism of 1159–77 Alexander III was indebted to the Cistercian order for their diplomatic efforts to secure for him the recognition of the French and English kingdoms.⁵⁵ Alexander was similarly beholden to the order of the Knights Templars, who raised loans for the impoverished papal curia, as well as helping to administer the papal finances.⁵⁶ During the last quarter of the twelfth century a central figure in the execution of papal policy was Henry of Marcy, abbot of Clairvaux, who organized the suppression of heresy in southern France, negotiated peace between the French and English kings and preached the Third Crusade.⁵⁷

Throughout the century the papacy recruited members of religious orders to the curia to serve and advise the pope. The eight Cistercian cardinals of the twelfth century, all former monks of Clairvaux, were the legacy of Bernard's influence.⁵⁸ The houses of regular canons, S. Frediano in Lucca and S. Maria in Rheno, Bologna, seem each to have provided five cardinals during the

⁴⁹ Alexander III, JL 10660, 10661, cols. 112AD, 113A–114C. See Maccarrone (1980), pp. 85–6.

⁵⁰ Foreville-Rousset de Pina (1953), pp. 303–4.

⁵¹ Klewitz (1957), pp. 210–11, 254–5; Classen (1960), pp. 81–2; Schmale (1961b), pp. 56–7, 77–80, 253–79; Schmale (1961a); Reuter (1983); Stroll (1987), pp. 169–78.

⁵² Bernard, 'Epistola' 124 c.2. ⁵³ *Ibid.* 124–6.

⁵⁴ Constable (1953), pp. 244–7, and (1957); Häring (1965), (1966a) and (1967). See also above p. 324 n. 34.

⁵⁵ Preiss (1934), pp. 28–36; Mahn (1945), pp. 142–7. On the persecution that the Cistercian order suffered in the imperial territories as a consequence of their support for Alexander III see Reuter (1976).

⁵⁶ Jordan (1933–4), p. 77; Geisthardt (1936), pp. 78–9. ⁵⁷ Congar (1958), pp. 45–55.

⁵⁸ Jacqueline (1953), p. 29; but see also Zenker (1964), pp. 21, 40, 55, 96, 133, 148, 184.

century.⁵⁹ The popes of the period 1124–59 were themselves representatives of the new religious orders of c. 1100, with exceptions of the secular clerks Celestine II and Anastasius IV.⁶⁰ By the middle of the century the papacy was ‘already on the threshold of the period in which the lawyers . . . overtook the religious in the curia’.⁶¹ The popes of the period 1159–98 were former secular clerks, except for Gregory VIII.⁶² The cardinals attempted to elect a monk in October 1187, but their chosen candidate, Henry of Marcy, abbot of Clairvaux and cardinal bishop of Albano, declined the honour.⁶³ The alliance between the papacy and monastic reform was as strong in the later twelfth century as it had been in the later eleventh century. The active role of the religious as agents of the papacy in the schism of 1159–77, in the preaching of the crusade and in the suppression of heresy was as much at odds with ancient canon law and the principle of *regularitas* as had been the role of monks in the Investiture Contest. The papacy’s relationship with the religious orders was a constant reminder that the laws of the church ‘are in the heart of the lord pope and he may interpret them as he pleases’: ‘the making, interpreting and abrogating of the canons is in his power’.⁶⁴ In cases of *necessitas* and in the interests of reform the pope could adapt existing institutions to meet the ever changing circumstances of the church.

The papal programme for the reform of the universal church and Christian society during the years 1122–98 can be most easily studied in the canons of the ‘general councils’ of this period. The term *concilium generale* was first used by the papal curia to describe Calixtus II’s council of Rheims (1119) and his First Lateran Council (1123). The same term (or the synonymous terms *concilium magnum* or *synodus plenaria*) was subsequently used by the curia to designate

⁵⁹ S. Frediano in Lucca: Zenker (1964), pp. 41, 129–31, 132, 144; Pfaff (1955), p. 89. See also Schmidt (1972), pp. 199–221. S. Maria in Rheno, Bologna: Brixius (1912), pp. 65–6; Zenker (1964), pp. 41, 107, 112, 142, 149.

⁶⁰ Honorius II was a former canon of S. Maria in Rheno, Bologna: Schmale (1961b), p. 140; Hüls (1977), p. 106. Innocent II was perhaps a former canon of St John Lateran: Schmale (1961b), pp. 39–40; but see also Maleczek (1981), p. 33. Lucius II was a former canon of S. Frediano in Lucca: Zenker (1964), p. 129. Eugenius III was a former monk of Clairvaux and pupil of Bernard: Zenker (1964), pp. 185–6. Adrian IV was a former canon of St Ruf in Avignon: Zenker (1964), p. 36. Classen (1968), pp. 36–63, refutes the suggestion that Anastasius IV was also formerly a canon of St Rufus in Avignon.

⁶¹ Classen (1968), pp. 38–9.

⁶² Gregory VIII was formerly a canon of St Martin in Laon: Kehr (1924), p. 250. Alexander III has been identified as a former regular canon: Zenker (1964), pp. 86, 210n; but see Noonan (1977) on the problem of establishing the details of Alexander’s early career. Lucius III has been identified as a former Cistercian monk on the grounds of his close association with the order during his pontificate: Brixius (1912), p. 43; Pfaff (1981), p. 173; but see Wenck (1926), pp. 421–2; Zenker (1964), p. 23.

⁶³ Peter of Blois, letter to Archbishop Baldwin of Canterbury, *Epistolae Cantuarienses*, pp. 107–8. See Wenck (1926), pp. 428–9.

⁶⁴ Peter the Chanter, ‘*Verbum abbreviatum*’ c.53. See *NCMH*, iv, Part 1, ch. 11.

Innocent II's councils of Rheims (1131) and Pisa (1135) and his Second Lateran Council (1139), Eugenius III's council of Rheims (1148) and Alexander III's Third Lateran Council (1179).⁶⁵ At no subsequent period of its history did the papacy assemble so many 'general councils'. These papal councils were called 'general' because they were attended by clergy from every part of Christendom and because their conciliar decrees were binding on the whole church.⁶⁶ According to the official language of the curia, the pope summoned to the council 'churchmen from the various regions, whose presence and counsel will permit the taking of sound decisions'.⁶⁷ The language of the conciliar decrees similarly suggests consultation and shared decision-making: 'we have decreed on the advice of our brethren and with the approval of the sacred council'.⁶⁸ In practice, however, growing procedural sophistication, involving preliminary investigations and commissions of experts (*virī periti*), meant that the role of the majority of participants was simply to approve the decrees prepared beforehand by the curia.⁶⁹ The 'general councils' of the twelfth century served mainly to demonstrate the unique authority of the Roman church 'to assemble a universal council, to make new canons and to obliterate old ones'.⁷⁰

The First Lateran Council of 1123 saw the last appearance of the Gregorian reform programme that had preoccupied the papacy for the past fifty years. The decree prohibiting lay investiture figured for the last time in a papal council, as did the decree requiring the canonical election of bishops.⁷¹ The familiar Gregorian decree prohibiting clerical marriage continued to be promulgated after 1123. The version issued by Innocent II's council of Rheims (1131) and Second Lateran Council (1139) had a markedly Gregorian flavour. 'Adhering to the footsteps of our predecessors, the Roman pontiffs Gregory VII, Urban and Paschal, we command that no one is to hear the masses of those whom he knows to have wives or concubines.'⁷² By the middle of the century, however,

⁶⁵ E.g. Calixtus II, JL 6977, 6995, 7028, 7031, 7034, 7037, 7056, 7075, 7144, 7147; Innocent II, JL 8007, 8016, 8017; Alexander III, JL 13070, 13097–9. The term *concilium generale* was not used by the curia in the case of Calixtus II's council of Toulouse (1119) or Innocent II's council of Clermont (1130), which were attended only by bishops and abbots from southern France. In the narrative sources, although not in the official papal sources, the term *concilium generale* is used of Alexander III's council of Tours (1163), attendance at which was on the same scale as in the 'general councils' of the twelfth century. See Schmale (1974), pp. 37–8.

⁶⁶ On the meaning of 'general' as a synonym for 'Catholic' in patristic usage see, for example, Isidore of Seville, *De ecclesiasticis officiis* 1.3, PL 83, col. 740A: 'Catholica autem ideo dicitur, quia per universum mundum est constituta, vel quoniam catholica, hoc est, generalis in ea doctrina est.' See Fuhrmann (1961), pp. 682–3.

⁶⁷ Alexander III, JL 13097, col. 1184D. ⁶⁸ Concilium Lateranense III c.1.

⁶⁹ Schmale (1974), p. 29. See also *NCMH*, IV, Part 1, ch. 11.

⁷⁰ Rufinus of Assisi, 'Sermo habitus in Lateranensi concilio', p. 119.

⁷¹ Concilium Lateranense I, c.1, 3.

⁷² Council of Rheims (1131) c.5; Concilium Lateranense II c.7.

the reiteration of this prohibition seemed to some contemporaries to be superfluous. When it was restated at the council of Rheims in 1148, 'it seemed to some to be a futile and ludicrous decree; for who does not know that this is unlawful?'⁷³ Subsequent councils nevertheless considered it necessary to repeat the demand for a celibate clergy, using the sanction of the loss of the benefice.⁷⁴

Meanwhile a reform programme with a new emphasis, building on the achievements of the Gregorian papacy, had been introduced in the five councils of Innocent II – Clermont (1130), Rheims (1131), Piacenza (1132), Pisa (1135) and the Second Lateran (1139) – and elaborated in the councils of Eugenius III and Alexander III. The new reform programme assumed that the Gregorian battle to protect the church from the encroachments of the secular power had now been won. The purpose of this programme, developed during the papal schism of the 1130s, was to enhance the dignity and sacrosanct character of the clerical estate and to impose Christian standards of conduct on the laity. The clergy was to be recruited only from properly qualified candidates, 'wise and religious persons' of mature age. (The Third Lateran Council emphasized the additional qualification, 'knowledge of literature'.)⁷⁵ Neither clerks nor religious should follow 'the wicked and detestable custom' of studying 'secular law and medicine for the sake of worldly lucre' lest they neglect the cure of souls.⁷⁶ The clerical order must be distinct from the laity in the style of their dress. 'Both bishops and clerks . . . shall not, by the superfluity, cut or colour of their clothes nor by their tonsure, offend the sight of observers, to whom they ought to be a model and example.'⁷⁷ To these requirements Alexander III's Third Lateran Council (1179) added a prohibition of pluralism. Clerks who were led by avarice to 'acquire various ecclesiastical dignities and many parish churches against the statutes of the holy canons' were to lose these benefices and their patrons were to lose the right of presentation.⁷⁸

The Third Lateran Council also ruled on a much debated aspect of the problem of the demarcation of the spiritual and the secular spheres. 'No clerk is to presume to take up . . . the administration of secular judgement under any princes or secular men, so as to become their justiciars.' Clerks who served as officials in secular courts acted contrary to the teaching of the apostle, 'No soldier of God is to entangle himself in secular affairs' (11 Timothy 2:4). They

⁷³ John of Salisbury, *Historia pontificalis* c.3, p. 8.

⁷⁴ E.g. Concilium Lateranense III (1179) c.11; Concilium Lateranense IV (1215) c.14.

⁷⁵ Council of Clermont (1130) c.11; Rheims (1131) c.8, 15; Pisa (1135) c.9; Concilium Lateranense II (1139) c.10, 16. Cf. Concilium Lateranense III (1179) c.3.

⁷⁶ Council of Clermont (1130) c.5; Rheims (1131) c.6; Concilium Lateranense II (1139) c.9; see Kuttner (1964) pp. 237–46; Somerville (1976), pp. 105–44.

⁷⁷ Council of Clermont (1130) c.2; Rheims (1131) c.2; Concilium Lateranense II (1139) c.4. See John of Salisbury, *Historia pontificalis* c.3, p. 8, for a protest on this subject in the council of Rheims of 1148.

⁷⁸ Concilium Lateranense III c.13. See Baldwin (1970), p. 119.

'neglect the clerical office and plunge into the tempests of the world in order to please the powerful of this world'.⁷⁹ The service of clerks as officials of secular courts (*curiales*) was a widespread phenomenon and important source of ecclesiastical advancement, which found eloquent defenders in the later twelfth century.⁸⁰ Alexander III himself had condoned Hugh of Champfleury's continuing to serve as chancellor of King Louis VII of France after being elected bishop of Soissons in 1159.⁸¹ King Henry II of England, knowing that 'the archbishop of Mainz claimed the title of arch-chancellor in Germany under the king, as did the archbishop of Cologne in Italy under the emperor', desired that his servant Thomas Becket should similarly add to his office of chancellor that of archbishop of Canterbury 'to promote the interests of the kingdom and the peace of the church'. Becket's resignation of the chancellor's office on becoming archbishop (1162) was not the least of the factors that provoked conflict between archbishop and king.⁸² The decree of the Third Lateran Council was a reminder that secular administrations imposed judicial sentences involving bloodshed and that, according to ancient canon law, clerks who were implicated in these 'blood judgements' could not administer the sacraments.⁸³

The twelfth-century reform programme emphasized that the persons and the property of the clergy were sacrosanct. So heinous was the offence of the man who 'at the devil's persuasion incurred the guilt of the sacrilege of laying violent hands on a clerk or a monk', that the resultant anathema could be lifted only by the pope.⁸⁴ Innocent II's councils condemned the 'right of spoil' (*ius spoli*). 'The goods of deceased bishops should be seized by no man but should remain in the possession of the steward and the clergy for the use of their churches and their successors.'⁸⁵ The Third Lateran Council condemned secular rulers who imposed taxation on church property (over and above the

⁷⁹ Concilium Lateranense III c.12.

⁸⁰ Most famously the defence of the life of a clerical *curialis* by Peter of Blois, 'Epistola' 150. See Southern (1953), pp. 212–13. But see also Peter of Blois's letter repenting the ambition that had led him to a career in secular government: 'Epistola' 14. See also Baldwin (1970), pp. 178–9.

⁸¹ Alexander III, JL 10711, 10743, cols. 137C–138C, 162AB (to Bishop Hugh of Soissons). The pope hoped that Hugh of Champfleury would use his influence at the French court to keep Louis VII loyal to the Alexandrine cause in the papal schism. See Foreville and Rousset de Pina (1953), p. 69.

⁸² Ralph of Diceto, 'Ex ymaginibus historiarum' 1162, I, p. 308. See Smalley (1973), p. 119; Barlow (1986), p. 67.

⁸³ Gratian, 'Decretum' C.23 q.8 c.30; cf. D.50 c.8; John of Salisbury, *Policraticus* vii.20, II, pp. 182–90. See Baldwin (1970), p. 178; Smalley (1973), pp. 100–1.

⁸⁴ Council of Rheims (1131) c.13; Pisa (1135) c.12; Concilium Lateranense II (1139) c.15. See Kuttner (1935), pp. 68–9. On this *privilegium canonis* see NCMH, IV, Part 1, ch. 11.

⁸⁵ Council of Clermont (1130) c.3; Rheims (1131) c.3; Concilium Lateranense II (1139) c.5. This conciliar legislation extended the decree of the Council of Chalcedon (451) c. 22, concerning the *ius spoli* in the case of bishops, to all *presbyteri vel clerici*.

conventional obligations of the *regalia*). Modern princes were worse than the godless pharaoh, who at least 'left his priests and their possessions in their ancient freedom and gave them sustenance from public resources' (Exodus 1: 18–12). The council excommunicated princes who taxed the church 'unless the bishop and clergy perceive that so great an emergency exists that, without compulsion, they consider that (the resources of the laity being insufficient) subsidies ought to be granted by the churches to relieve the general need'.⁸⁶ This decree, the earliest conciliar legislation on a subject that was to have so great an impact on the relations of *regnum* and *sacerdotium* in the following century, conceded that ecclesiastical property was subject to secular taxation in a case of *necessitas*. It was, however, left to churchmen to decide whether the emergency claimed by the secular power was genuine.⁸⁷

As for secular society, the twelfth-century reform programme condemned the practice of usury and sought to regulate the warfare and the war-games of the military ruling class. Canon law had long been preoccupied with usury, but the principal emphasis was on usurious clergy. They were to be punished with suspension or degradation.⁸⁸ In 1139 the Second Lateran Council turned to the question of eradicating usury among the laity. The council condemned 'the insatiable rapacity of usurers, detestable and shameful, rejected by Scripture in the Old and New Testaments'. Usurers were to be excluded from 'all ecclesiastical comfort'; they were 'to be regarded as infamous as long as they lived and, unless they came to their senses, they were to be deprived of Christian burial'.⁸⁹ Forty years later the Third Lateran Council noted that 'the crime of usury has become so deeply rooted in almost every region that many men have given up other businesses in order to practise usury as if it was legal'. As an additional sanction the council decreed the suspension of any clerk who gave Christian burial to a 'manifest usurer'.⁹⁰

The papal councils of the 1130s were the first to prohibit 'those detestable fairs or holidays on which knights are accustomed to assemble by agreement and fight to demonstrate their strength and their rash audacity, from which the deaths of men and the peril of souls often results'.⁹¹ These 'holidays' were tournaments, an aristocratic pastime so important by the end of the twelfth

⁸⁶ Concilium Lateranense III c.19. The decree drew attention in particular to the demands of *rectores et consules civitatum*, that is, of the Italian city-republics. See Baldwin (1970), p. 218.

⁸⁷ The Fourth Lateran Council (1215), c.46, added the further condition that the local clergy before consenting to pay tax 'Romanum prius consulant pontificem, cuius interest communibus utilitatibus providere' (COD, p. 255). On the contemporary debate in the schools about secular taxation see Baldwin (1970), pp. 218–20.

⁸⁸ Gratian, 'Decretum' D.47 c.1–5. See McLaughlin (1940), pp. 1–22; Baldwin (1970), pp. 296–311.

⁸⁹ Concilium Lateranense II c.13. See McLaughlin (1940), p. 4.

⁹⁰ Concilium Lateranense III c.25.

⁹¹ Council of Clermont (1130) c.9; Rheims (1131) c.21; Concilium Lateranense II c.14.

century that in some parts of France they were held every fortnight during late autumn.⁹² Eugenius III and Alexander III, conscious that these war-games seriously affected recruitment for the crusade, confirmed Innocent II's denial of Christian burial to those who met their death in tournaments.⁹³ In an attempt to reduce casualties in war the Second Lateran Council forbade the use of crossbows and catapults in warfare against Christians.⁹⁴ In particular the councils of the 1130s anathematized 'the most wicked, destructive and horrendous crime of arson': 'this plague and inimical devastation surpasses all other kinds of depredation.' Those who used arson as an instrument of war or revenge should be denied Christian burial. Penitent incendiaries might expiate their offence by a full year's service in the holy war in Jerusalem or Spain.⁹⁵

Finally, in 1179 the Third Lateran Council excommunicated certain notorious groups of 'routiers', professional warriors who were hired as mercenaries in the armies of princes and resorted to brigandage when they could not find employment. The council denounced them as heretics because 'they wrought such cruelty against Christians that they respected neither churches nor monasteries, neither widows and orphans nor old people and children and spared neither age nor sex, but destroyed and laid waste everything, like pagans'. Those who employed them were to be denounced publicly in the churches and were to share the anathema of their employees. The faithful who took arms against these 'heretics' were promised the rewards of the participants in a holy war.⁹⁶ The twelfth-century papal councils, therefore, extended the scope of ecclesiastical supervision of secular conduct. The Gregorian reform had been concerned above all with the defence of the *sacerdotium* from the encroachment of the laity. The twelfth-century reform programme, while accentuating the separateness and privileged status of the clergy, made a series of precise demands (generally ignored) requiring the laity to conform to the values of a Christian society.

In addition the papal councils of these years promoted the role of the pope as the protector of the Catholic faith from heresy, the role described by Bernard of Clairvaux as 'the defender of the faith, the teacher of the nations'.⁹⁷ This role was of crucial importance for the two popes whose legitimacy was challenged by rivals in the schisms of 1130–8 and 1159–77. The victors in these conflicts,

⁹² Baldwin (1970), pp. 224–6; Keen (1984), pp. 84, 94, 96; Barker (1986), pp. 70–1, 73–4.

⁹³ Council of Rheims (1148) c.12; Concilium Lateranense III c.20.

⁹⁴ Concilium Lateranense II c.29. See Fournier (1916), pp. 471–9. The lethal character of the crossbow greatly preoccupied the moralists of the twelfth-century schools: Baldwin (1970), pp. 223–4.

⁹⁵ Council of Clermont (1130) c.31; Rheims (1131) c.17; Concilium Lateranense II c.18.

⁹⁶ Concilium Lateranense III c.27. On the identity of 'the Brabançons, Aragonese, Navarese, Basques, Cotteaux and Triaverdini' see Boussard (1945–6), pp. 189–224; Baldwin (1970), pp. 220–3; Hehl (1980), pp. 245–6.

⁹⁷ Bernard, 'De consideratione' IV.7.23.

Innocent II and Alexander III, represented themselves as triumphing over heresy as well as schism. Innocent II, exiled from Rome by the allies of his rival, Anacletus II, used his councils as much to demonstrate the legitimacy of his own cause as to publicize his reform programme. His council of Clermont (18 November 1130) was held soon after he had been assured of the support of King Louis VI and the French kingdom. The attendance of churchmen from the provinces of Lyons, Bourges, Vienne, Arles, Tarentaise, Narbonne, Auch and Tarragona demonstrated the rapid growth of the Innocentine obedience.⁹⁸ The council of Rheims (18–26 October 1131) was attended by numerous French, German, English and Spanish bishops. It witnessed both the coronation of the future King Louis VII of France and an embassy from the German king Lothar III, promising an expedition against the antipope.⁹⁹ The council of Pisa (May 1135) was a similar demonstration of the widespread acceptance of Innocent's claims. The council was attended by 126 archbishops and bishops from the kingdoms of Italy, Germany, France, England, Spain and Hungary and witnessed the excommunication of the antipope and his adherents.¹⁰⁰ The Second Lateran Council (3–8 April 1139) celebrated Innocent's victory in the schism.¹⁰¹ The opening sermon preached by the pope declared the theme of this 'general council': the unity of the Catholic church was guaranteed solely by the Roman primacy. 'Rome is the head of the world' and it is the business of her bishop alone 'to order according to his wisdom whatever is in confusion'.¹⁰² The council obediently declared unlawful the ordinations performed by the antipope Anacletus II 'and the other schismatics and heretics' and invalidated all their actions.¹⁰³

Similarly, the theme of Alexander III's councils was the defence of Catholic unity against the schismatics. The subject of the opening discourse of his council of Tours (19 May 1163), pronounced by Bishop Arnulf of Lisieux, was the unity and freedom of the church.¹⁰⁴ The council solemnly recognized the legality of the election of Alexander III and excommunicated his rival, the antipope 'Victor IV'.¹⁰⁵ The participation in these proceedings of 124 archbishops and bishops and more than 400 other churchmen from France, Italy, Sicily, Spain, England, Ireland, Scotland and the Latin kingdom of Jerusalem together with messages of support from prelates in central Europe, demonstrated the strength

⁹⁸ Mansi 21, cols. 437–40. See Foreville (1965), p. 75.

⁹⁹ Mansi 21, cols. 453–72. See Foreville (1965), p. 75; Somerville (1975), pp. 122–30.

¹⁰⁰ Mansi 21, cols. 485–8 (here wrongly dated 1134). See Foreville (1965), p. 77; Somerville (1970), pp. 98–114.

¹⁰¹ For the date of the council see Foreville (1965), p. 78, who differs from *COD*, p. 195.

¹⁰² *Chronicon Mauriniacensis monasterii* III. ¹⁰³ Concilium Lateranense II c.30.

¹⁰⁴ Arnulf of Lisieux, *Sermo*, Mansi 21, cols. 1167–75.

¹⁰⁵ Council of Tours, *ibid.*, col. 1179. See Somerville (1977), pp. 14–18.

of the Alexandrine obedience. Like Innocent II's councils of 1130–5, the council of Tours was a propaganda exercise in the midst of a bitterly fought schism. The papal council that followed Alexander's victory, the Third Lateran Council (5–19 March 1179), like its predecessor, declared invalid the ordinations of 'the heresiarchs', the antipopes of the preceding schism.¹⁰⁶ The subject of the opening discourse, preached by the distinguished canonist Bishop Rufinus of Assisi, was (as in the Second Lateran Council) the Roman primacy. 'The holy Roman church, since she is the apex of all episcopal thrones and since she is the mother of all churches and the mistress of all, has most worthily deserved to obtain a unique monarchy of all churches.'¹⁰⁷

The papal role of 'defender of the faith' derived from the scriptural text Luke 22:32, one of the traditional 'authorities' for the Petrine primacy. It was to this text, for example, that Innocent II referred when announcing the condemnation of Peter Abelard (1141): 'we, who, although unworthy, are seen to sit on the seat of St Peter – to whom the Lord said, "and when you have turned again, strengthen your brethren" – have condemned . . . all the teachings of Peter . . . together with their author'.¹⁰⁸ The same 'authority' provided the starting-point for Gratian's argument that the Roman church was the guarantor of orthodoxy. Christ 'bore witness that he had prayed especially for [Peter's] faith and enjoined him to strengthen the other [apostles]'. Consequently the Roman church had never erred: 'in the apostolic see the Catholic religion has always been preserved without a blemish'. By means of his authority as supreme judge the pope could resolve questions of doctrine and condemn heretics.¹⁰⁹ Hence the Decretist Huguccio included the resolution of 'a question of the faith' (*quaestio fidei*) among the *maiores causae* reserved to the judgement of the pope.¹¹⁰

In the course of the century papal councils became increasingly preoccupied with suspected heretics and suspect theologians. Already in 1119 Calixtus II's council of Toulouse concerned itself with unnamed heretics 'who, claiming the pretext of religion, condemn the sacrament of the Lord's body and blood, the baptism of children, the priesthood and the other ecclesiastical orders and contracts of lawful matrimony': 'we condemn them as heretics and expel them from the church of God'.¹¹¹ This decree was reissued almost verbatim by the Second Lateran Council (1139).¹¹² In 1135 the wandering preacher Henry of Lausanne was brought before Innocent II's council of Pisa by the archbishop of Arles, condemned for his notoriously heretical teachings and punished by

¹⁰⁶ III Lateran (1179) c.2. (that is, the antipopes Victor IV, Paschal III and Calixtus III).

¹⁰⁷ Rufinus, 'Sermo habitus in Lateranensi concilio', p. 118. ¹⁰⁸ Innocent II, JL 8148, col. 517A.

¹⁰⁹ Gratian, 'Decretum', d.21 *ante* c.1; c.24 q.1. c.11. See Tierney (1972), pp. 33–4.

¹¹⁰ Huguccio, *Summa* ad d.17 c.3, quoted by Watt (1965), p. 84.

¹¹¹ Council of Toulouse c.3. ¹¹² Concilium Lateranense II c.23.

being made a monk of Clairvaux.¹¹³ The Second Lateran Council investigated the case of the reformer Arnold, prior of the house of regular canons in Brescia. He was deprived of his office for the offence of fomenting rebellion against the bishop of Brescia.¹¹⁴

The concern with heresy was particularly pronounced in Eugenius III's council of Rheims in 1148, perhaps reflecting the anxiety of the pope's mentor, Bernard of Clairvaux. It was indeed Bernard who brought the case against Gilbert of la Porré, bishop of Poitiers, that was heard by members of the council. Gilbert was saved from condemnation by cardinals and prelates suspicious of Bernard's motives and determined that the bishop of Poitiers should escape the fate of Peter Abelard.¹¹⁵ The Breton heretic Eon de l'Etoile was brought before the council, which, concluding that he was mad, sentenced him to imprisonment. Eon's followers who had been captured with him were, however, handed over to the secular authorities, who caused them to be burned. The contrast between the fate of the Eonites in 1148 and that of the formidable heretic Henry of Lausanne in 1135 suggests that by the middle of the century the ecclesiastical authorities, alarmed by evidence of the spread of heresy, were ready to use harsher measures.¹¹⁶ The council of Rheims was also keenly aware of the problem of heresy in southern France, decreeing (without identifying the heretics) that 'no one is to maintain or defend the heresiarchs or their followers who dwell in the regions of Gascony and Provence and elsewhere and no one is to offer them refuge in his land'.¹¹⁷

'It is safer and less wicked to absolve the guilty and deserving of condemnation than to condemn with ecclesiastical severity the lives of the innocent.' This was the judgement of Alexander III in 1162 on a group of Flemish burghers who, being accused of heresy by the archbishop of Rheims and his brother, the king of France, had appealed their case to the pope: the first known instance of an appeal in such a case.¹¹⁸ Five months later Alexander III's council of Tours (May 1163) pronounced in very different language against 'the damnable

¹¹³ Godfrey of Auxerre, *Epistola*, RHGF, xv, p. 599; *Gesta pontificum Cenomannensium* 1134, RHGF, xii, p. 554. See Grundmann (1961), p. 45; Moore (1977), pp. 90, 253–4.

¹¹⁴ John of Salisbury, *Historia pontificalis* c.31, pp. 63–4; Otto of Freising, *Gesta Friderici imperatoris* 11.28, pp. 133–4. See Foreville (1965), pp. 85–7; Moore (1977), pp. 116–17.

¹¹⁵ John of Salisbury, *Historia pontificalis* c.8–11, pp. 15–25. See Häring (1966a), pp. 39–59, (1966b), pp. 3–83, and (1967), pp. 93–117.

¹¹⁶ *Continuatio Chronici Sigeberti* 1148, MGH, vi, pp. 389, 390; William of Newburgh, *Historia rerum anglicarum*, pp. 60–4. See Moore (1977), pp. 69–71. Moore suggests (p. 254) that the Eonites' attacks on ecclesiastical persons and property and their refusal to express repentance sealed their fate.

¹¹⁷ Council of Rheims c.18. See Moore (1977), p. 256.

¹¹⁸ Alexander III, JL 10797, col. 187 CD (to Archbishop Henry of Rheims). See Grundmann (1961), pp. 55–6. The pope's statement seems to echo Gratian, 'Decretum' c.23 q.4 c.10: see Walther (1976), p. 122.

heresy that has recently appeared in the region of Toulouse and, gradually spreading like a cancer to neighbouring regions through Gascony and other provinces, has already infected very many people'. The heretics were to be prevented from holding their meetings (*conventicula*). They were to be subject to a social and economic boycott 'so that they may be forced through the loss of human comfort to repent of the error of their way of life'.¹¹⁹ The Third Lateran Council (1179) anathematized 'the heretics whom some call "Cathars", some "Patarines", some "Publicani" and others by other names', together with those who sheltered and defended them.¹²⁰ The council had received a dossier on these heretics from the papal legates returning from southern France, Cardinal Peter of S. Grisogono and Henry of Marcy, abbot of Clairvaux. Henry of Marcy was one of the papal advisers who had most vehemently urged the summoning of this council, seeing its principal function as the eradication of heresy. He warned the pope that 'heretics dispute publicly against the faith' in southern France. Alexander III must 'brandish the sword of the priest Phineas' against those embracing false gods (Numbers 25:1–8). After his victory over the schismatical antipopes, Alexander must 'lay the heretics to rest likewise'.¹²¹

The Third Lateran Council was also faced with the new religious movement of the Waldensians. Having fallen foul of the archbishop of Lyons, the Waldensians sought the pope's recognition for their way of life (like the Flemings who had appealed to Alexander III in 1162). The chronicler of Laon believed that their leader himself came to the council: 'the pope embraced Waldes and approved the vow of voluntary poverty that he had made'. The report of a member of the commission of experts who investigated the Waldensians' beliefs suggests a cooler response. The commission ridiculed the lack of theological training of these *idiotae et illiterati* and forbade them to preach.¹²² Alexander III's councils were also preoccupied, like those of Innocent II and Eugenius III, with hunting for academic heresies in the schools. In both the council of Tours and the Third Lateran Council the pope's experts (*viriperiti*) investigated the teachings of Peter Lombard, the most influential master of the Paris schools in the mid-twelfth century. The recommendation of the papal expert that the Third Lateran Council should condemn the 'christological nihilism' of Peter Lombard was defeated by the master's adherents among the cardinals

¹¹⁹ Council of Tours c.4. On heresy as a cancer see Moore (1976).

¹²⁰ Concilium Lateranense III c.27. ¹²¹ Henry of Marcy, 'Epistola' 11 (to Alexander III).

¹²² *Chronicon universale anonymi Laudunensis*, p. 29. No other source mentions the presence of Waldes at the council. The expert entrusted by the council with the examination of the delegation referred only to two prominent Waldensians, 'Valdesii, qui sua videbantur in secta precipui', saying nothing of Waldes's presence: Walter Map, *De nugis curialium* 1.31, p. 60. See Grundmann (1961), pp. 57–61; Moore (1977), p. 229.

and prelates in the council in a rare instance of conciliar opposition to the pope.¹²³

The twelfth-century papal councils gradually developed the legislative framework for the practical coercive measures against heretics that would be compiled in the decree *Excommunicamus* of the Fourth Lateran Council (1215). This process began with Calixtus II's council of Toulouse in 1119, which commanded that heretics should 'be coerced by external powers'.¹²⁴ The same phrase was used in the decree against heresy in the Second Lateran Council (1139).¹²⁵ The councils of Alexander III, faced with a dangerous outbreak of heresy in southern France, were obliged to be more specific about the practical measures to be used. The council of Montpellier (1162) assumed that the ecclesiastical authorities in the region affected by heresy would admonish the local secular prince 'to exercise his temporal jurisdiction against the heretics'. The council threatened with anathema any prince who failed to obey such an admonition.¹²⁶ The council of Tours (1163) decreed that the secular powers must dispossess heretics of their lands.¹²⁷ The Third Lateran Council commanded that the faithful 'for the remission of their sins . . . take up arms to protect the Christian people' against heretics. 'Let [the heretics'] property be confiscated and let princes be free to reduce such men to slavery.' The faithful who responded to this appeal were accorded the same status 'as those who journey to the Lord's Sepulchre'.¹²⁸ The role of the secular power in the eradication of heresy was confirmed in the code of practice drawn up by Lucius III's synod of Verona (4 November 1184), the decree *Ad abolendam*. This was the first papal document to speak of heretical movements not as individual regional phenomena but as a universal problem. It was issued 'to abolish the wickedness of the various heresies that have begun to increase in most regions of the world in modern times' and began with a catalogue of the heresies currently known to the curia: 'the Cathars and Patarines and those who deceitfully go by the false name of the Humiliati or the Poor Men of Lyons [Waldensians], the Passagians, Josephines, Arnoldists'. The decree anathematized all those who denied the sacraments of the church and unlawfully claimed the right to preach.¹²⁹ The decree was issued jointly by the pope and Emperor Frederick I, symbolizing the church's dependence on the assistance of the secular power in removing this threat to her authority.

¹²³ The expert's report: John of Cornwall, 'Eulogium ad Alexandrum Papam tertium'. See de Ghellinck (1948), pp. 260–1; Foreville (1965), p. 145; Somerville (1977), pp. 56, 60–1, 98.

¹²⁴ Concil of Toulouse c.3. ¹²⁵ Concilium Lateranense II c.23.

¹²⁶ Council of Montpellier (1162) c.4. See Somerville (1977), p. 54.

¹²⁷ Council of Tours c.4. See Somerville (1977), pp. 50, 53. ¹²⁸ Concilium Lateranense III c.27.

¹²⁹ Lucius III, JL 15109, cols. 1297C–1300A. See Grundmann (1961), pp. 67–9; Walther (1976), pp. 124–6; Moore (1977), pp. 257–8.

The basis of this legislation was the doctrine of 'righteous persecution' which Gratian had absorbed from the Gregorian canon law collections of the late eleventh century.

That statement of Jerome, according to which the church is not to persecute anyone, must not be understood as meaning that in general the church persecutes no one but rather that she persecutes no one unjustly. For not every persecution is blameworthy: rather it is reasonable for us to persecute heretics, just as Christ physically persecuted those whom He drove out of the Temple [Matthew 21:12].¹³⁰

To this *dictum* the Decretist Master Roland added that 'to kill wicked men for the sake of correction and justice is to serve God'.¹³¹ Master Huguccio emphasized that the church can practise persecution if the motive is 'love of correction and of justice'.¹³² According to Gratian, this 'righteous persecution' must be carried out by the secular powers, under the direction of the *sacerdotium*. 'Although priests must not take up arms in their own hands, nevertheless they are empowered by their authority to persuade those to whom such functions are committed and to command any of them to take up arms.'¹³³ Secular princes have a divinely ordained duty of defending the church against her enemies: if they fail to come to her assistance, they must be excommunicated.¹³⁴ Rufinus was the first canonist (1157–9) to derive from these statements the idea of military intervention against heretics, which eventually formed part of the legislation of the Third Lateran Council: 'heretics are to be compelled by arms to return to the Catholic faith'.¹³⁵ The Decretists deduced from Gratian's opinions that, where the defence of the faith was concerned, secular princes were to be regarded as the servants of the church. Huguccio concluded that 'secular [princes] were established for this purpose, that whatever the church is unable to achieve by her own means, should be executed by them as if they were servants so that through their means she may have protection and power and peace'. 'If she wishes to use the secular arm, he from whom help is sought is bound to obey her and defend her.'¹³⁶

Huguccio was one of the earliest authors to use the term 'secular arm' (*seculare brachium*) to describe the lay power when cooperating with the church. As we have already seen, Huguccio adopted the 'Gelasian' rather than the 'Gregorian' view of the relations of the two powers. 'Both powers, namely the apostolic and the imperial, were instituted by God; neither depends on the other and the

¹³⁰ Gratian, 'Decretum' c.23 q.4 *dictum ante* c.37. See Walther (1976), pp. 113–18. For the Gregorian doctrine of 'righteous persecution' see Erdmann (1935), pp. 212–49.

¹³¹ Roland, *Summa* ad c.23 q.5, p. 93.

¹³² Huguccio, *Summa* ad dictum Gratiani ante c.1, c.23 q.3, quoted by Walther (1976), p. 127 n. 90.

¹³³ Gratian, 'Decretum', c.23 q.8. *dictum post* c.18. ¹³⁴ *Ibid.*, c.24 q.1 c.11, 14; c.23 q.5 c.18–45.

¹³⁵ Rufinus, *Summa decretorum* ad dictum Gratiani ante c.23 q.1, p. 403.

¹³⁶ Huguccio, *Summa* ad d.96 c.16, quoted by Watt (1965), p. 31 n. 43. See Stickler (1947), pp. 1–44.

emperor does not hold the sword from the pope.¹³⁷ Nevertheless Huguccio considered that when the church and the Catholic faith were in danger, secular princes were obliged to obey the ecclesiastical authorities 'as if they were the servants' of the church. He identified two circumstances in particular in which secular assistance was obligatory: when ecclesiastical authority was undermined by delinquent clergy and when the church was threatened by heretics. In the first instance, if clerks 'are utterly incorrigible and cannot be disciplined by the church, then by the church's permission the secular judge can arrest and coerce [them]'.¹³⁸ In the second instance, 'note that princes are understood to be defenders of the church . . . and if, on being admonished to do so, they refuse, they can be excommunicated'.¹³⁹ This Decretist conception of the duty of the secular princes to engage in wars of 'righteous persecution' against the heretics at the command of the church completed the twelfth-century vision of Latin Christendom as a compulsory society. Membership of this society depended on adherence to the orthodox religion defined by the Roman church. 'The faith of the Roman church has destroyed every heresy.' Consequently 'it is not permitted to think or teach other than the Roman church thinks and teaches'.¹⁴⁰ The touchstone of orthodoxy in the compulsory society of the twelfth-century canonists was obedience to the Roman church and her bishop.

His role as the unique guarantor of Catholic orthodoxy gave the pope the authority to declare holy wars not only against the heretics within but also against *pagani* outside Christendom. It was the undisputed power of the pope to launch a crusade that (as we have already seen) inspired Bernard of Clairvaux to attribute to him possession of the 'two swords', the 'material sword' of lay coercion and the 'spiritual sword' of excommunication. Bernard urged Eugenius III to launch a crusade with the words, 'put forth both swords . . . Who should do so, if not you? Both are Peter's, the one to be unsheathed at his nod, the other by his hand, whenever necessary.'¹⁴¹ The principal concern of twelfth-century canonists dealing with the subject of holy war was to emphasize that clerks themselves must not be directly involved in the conflict. 'The church does not recognize the use of weapons by her ministers, but recognizes their use by others.'¹⁴² Huguccio concluded that it was 'lawful for clerks in Outremer and in Spain to go into battle and carry the Lord's cross so that the Lord may protect the Christians and terrify the pagans'. These clerks were permitted to defend themselves against attack but if they killed an attacker, they must be

¹³⁷ Huguccio, *Summa* ad D.96 c.6: see above p. 321 and n. 15.

¹³⁸ Huguccio, *Summa* ad C.11 q.1. c.18, quoted by Watt (1965), p. 31 n. 45.

¹³⁹ Huguccio, *Summa* ad D.63 c.22, quoted by Stickler (1947), p. 217. See Hehl (1980), p. 232.

¹⁴⁰ Gratian, 'Decretum' ad C.24 q.1. c.10–15. ¹⁴¹ Bernard, 'Epistola' 256.1. See above p. 318.

¹⁴² *Summa Parisiensis* ad C.23 q.8. c.7, p. 184. This anonymous Decretist *Summa* was perhaps compiled as early as c. 1160.

deposed from their office: 'for it is better to suffer death than to inflict death in order to escape'.¹⁴³

The twelfth-century Decretists asked whether the pope, a churchman to whom weapons were forbidden, could authorize others to resort to arms. Master Gratian had supplied them with the 'authority' of Alexander II's letter (1063) to those engaged in warfare against the Spanish Muslims 'who persecute the Christians and drive them out of their cities and their own dwellings'.¹⁴⁴ The Decretists concluded from this 'authority' that papal holy wars were justified by the fact that they were wars of self-defence.¹⁴⁵ Thus the cautious Huguccio defended the war against Saladin on the grounds that 'he now holds Christians captive and defiles and takes tribute from the Holy Land where Christ died'.¹⁴⁶ His fellow Decretist, Sicardus of Cremona, however, was prepared to approve aggressive as well as defensive holy wars: 'it is permissible for the pope and other prelates on his authority to request princes and exhort others to defensive and aggressive measures against the enemies of the holy faith and of the peace of the church and the fatherland'.¹⁴⁷ Sicardus based his opinion on the confident pronouncements of the twelfth-century papacy on the subject of the crusade. By the end of the century most learned men accepted that it belonged to 'the privilege of the apostle Peter and to the general authority of the church' to launch a holy war.¹⁴⁸

'Recognizing its duty', the apostolic see has proclaimed a crusade, declared Celestine III in 1193.¹⁴⁹ The preaching of a crusade was now a *duty* in the eyes of the late twelfth-century papal curia because crusading had assumed such importance in the penitential system of the church. As Peter of Blois explained in his treatise appealing for a crusade (1188/9), the papal holy war was urgently needed by the laity because it provided a unique 'remedy of penitence' and 'spiritual medicine' for their sins.¹⁵⁰ This was a view of the crusade formulated by Bernard of Clairvaux, preaching the Second Crusade in 1146–7. 'What is [the crusade] but an opportunity for salvation, carefully considered and such as God alone could devise, which the Almighty uses to summon from their servitude murderers, robbers, adulterers, oath-breakers and men guilty of other crimes, as if they were righteous people?'¹⁵¹ The influence of this vision of the

¹⁴³ Huguccio, *Summa* ad D.50 c.5, quoted by Hehl (1980), p. 237; ad D.50 c.60, *ibid.*, p. 236.

¹⁴⁴ Gratian, 'Decretum', c.23 q.8 c.11 (Alexander II, JL 4528). Gratian also provided the historical *exemplum* of Leo IV's expedition against Muslim pirates (849): c.23 q.8 c.7 and *dictum post* c.20.

¹⁴⁵ E.g. *Summa Parisiensis* ad D.45 c.3, p. 40.

¹⁴⁶ Huguccio, *Summa* ad c.7 q.1. c.47, quoted by Hehl (1980), p. 237.

¹⁴⁷ Sicardus of Cremona, *Summa* ad c.23 q.8, quoted by Hehl (1980), p. 247. Sicardus cited Concilium Lateranense III c.27 in defence of his argument.

¹⁴⁸ Peter of Blois, 'De Hierosolymitana peregrinatione', col. 1061A.

¹⁴⁹ Celestine III, JL 16944, col. 971A.

¹⁵⁰ Peter of Blois, 'De Hierosolymitana peregrinatione', col. 1065C.

¹⁵¹ Bernard, 'Epistola' 363.

crusade is apparent in the legislation of the papal councils which prescribes as a penance for arson (the worst imaginable crime in the opinion of the twelfth-century papacy) that the offender spend 'a full year in the service of God in Jerusalem or in Spain'.¹⁵² The importance of the crusade lay in the spiritual reward that the pope alone could confer on the crusader. 'Take the sign of the cross', explained Bernard of Clairvaux, 'and this full indulgence of all the offences that you have confessed with contrite heart is offered to you by the supreme pontiff, the vicar of him to whom it was said, "Whatever you loose on earth will be loosed in heaven" [Matthew 16:19].'¹⁵³

The First Lateran Council in 1123 explained the spiritual reward of crusaders in the words: 'To those who journey to Jerusalem and give effective help in defending the Christian people and in conquering the tyranny of the infidels, we grant remission of their sins.'¹⁵⁴ Similar language is used in Eugenius III's crusading letter of 1 December 1145, *Quantum praedecessores*, which promised remission of sins and absolution according to the ordinance of [Urban II], ... so that whoever begins and completes such a holy journey in a spirit of devotion, or dies during the journey, may obtain absolution from all the sins of which he has made confession with a contrite and humbled heart, and may receive the fruit of eternal recompense from Him who rewards all goodness.¹⁵⁵

Both the First Lateran Council and Eugenius III identified the spiritual reward of the crusaders as 'remission of sins' (*remissio peccatorum*): that is, full remission of all the divinely imposed temporal penalties for sin.¹⁵⁶ In conferring this reward both referred to the precedent of Urban II. In fact the few surviving statements of Urban II describe the crusaders' reward not only as 'remission of sins' but also as a commutation of penance, a more conventional exercise of the church's penitential discipline: 'we release them from all penance for those sins for which they make a true and perfect confession'.¹⁵⁷ The early twelfth-century chroniclers of the First Crusade, however, wrote confidently of the 'immediate remission of sins' promised to the crusaders.¹⁵⁸ It has been suggested that the evidence of these chroniclers (who reflected the views of the crusaders themselves) shows that 'popular crusading propaganda at once went unhesitatingly far beyond the more limited formula' used by Urban II

¹⁵² Concilium Lateranense II (1139) c.18. Cf. Council of Clermont (1130) c.13, Rheims (1131) c.17, Rheims (1148) c.15. See above p. 332.

¹⁵³ Bernard, 'Epistola' 458.

¹⁵⁴ Concilium Lateranense I c.10. Cf. Calixtus II, JL 7116, col. 1305C.

¹⁵⁵ Eugenius III, JL 8876, in Caspar and Rassow (1924), pp. 304–5.

¹⁵⁶ Paulus (1922), p. 199; Poschmann (1930), pp. 225–7; Constable (1953), pp. 249–52.

¹⁵⁷ Urban II, JL 5670, PL 151, col. 483D. Cf. Somerville (1972), p. 74. See Brundage (1969), pp. 139–58; Mayer (1972), pp. 25–40; Riley-Smith (1977), pp. 57–62, and (1986), pp. 27–30.

¹⁵⁸ Fulcher of Chartres, *Historia Hierosolymitana* 1.3, p. 324. Cf. Balderic of Dol, 'Historia Ierosolimitana', 1.4, pp. 14–15; Guibert of Nogent, *Dei gesta per Francos* 11.4, p. 138.

and that the papal curia subsequently adopted the 'popular' interpretation of the crusaders' spiritual reward.¹⁵⁹

This interpretation was certainly known to Eugenius III. 'We have learned from the accounts of writers of former times', declares his letter *Quantum praedecessores*, 'and we have found written in their *Deeds* how much our predecessors the Roman pontiffs laboured for the liberation of the eastern church.'¹⁶⁰ Eugenius III here made clear that he owed his knowledge of Urban II's crusade not to that pope's letters but to the chronicles of the First Crusade. His promise of 'remission of sins and absolution' must have been influenced by the chroniclers' interpretation of Urban II's promise to the crusaders. Bernard of Clairvaux, the official preacher of the Second Crusade launched by Eugenius, explained the message of *Quantum praedecessores* to the laity: 'take the sign of the cross and simultaneously you will obtain indulgence for what you have confessed with a contrite heart'.¹⁶¹ The crusade, Bernard declared, was 'a day of abundant salvation' and 'a time rich in indulgence' for the laity.¹⁶² The novelty of this language has been underlined by historians.¹⁶³ The term *indulgentia* – meaning the remission by the church of the temporal penalties for sin, guaranteed by the treasury of the spiritual merits of the church – was to have a long and controversial history.

It is certain, however, that at the time of the Second Crusade *indulgentia* had not yet acquired the technical meaning that it would be given in the later thirteenth century in the writings of Bonaventura and Thomas Aquinas: scholastic theologians had not yet begun to develop the doctrine of indulgences.¹⁶⁴ Lacking the precise terminology of thirteenth-century theologians, the curia of Eugenius III may have perceived no difference between the 'remission of sins and absolution' of *Quantum praedecessores*, the 'indulgence' of Bernard's recruiting propaganda and the commutation of penance promised in 1095. That is indeed the impression conveyed by Alexander III's crusading letter of 29 July 1169, which reviewed the promises of his predecessors. 'We make that remission of penance imposed by the priestly ministry that our predecessors, the Fathers of happy memory Urban and Eugenius are known to have instituted, so that . . . he who undertakes the penance and remains there for two years to defend the land . . . shall rejoice in the acquisition of remission of the penance imposed on him.'¹⁶⁵ Placing the spiritual reward of the crusader

¹⁵⁹ Mayer (1972), p. 33. ¹⁶⁰ Eugenius III, JL 8876, in Caspar and Rassow (1924), p. 302.

¹⁶¹ Bernard, 'Epistola' 363. See Constable (1953), p. 247. ¹⁶² Bernard, 'Epistola' 363.

¹⁶³ E.g. Gottlob (1906), p. 105: 'The transcendental efficacy of the indulgence was emphasized for the first time in the Second Crusade.'

¹⁶⁴ That development began with Hugh of St-Victor (c. 1150). See Gottlob (1906), pp. 270–88; Anciaux (1949), pp. 295–302.

¹⁶⁵ Alexander III, JL 11637, cols. 600D–601A.

firmly in the framework of the church's penitential discipline, Alexander III promised no more than commutation of penance and assumed that Urban II and Eugenius III had done likewise.

This letter of 1169 bears witness to the greater complexity and caution of the formulas used by the curia in the later twelfth century. Alexander III's first crusading letter in 1165 was simply a reissue of Eugenius III's *Quantum praedecessores*.¹⁶⁶ His last crusading letter in 1181 contained an elaborate scale of different spiritual rewards. For two years' service crusaders obtained 'absolution of all their offences for which they have made confession with contrite and humbled heart'; for one year's service they obtained 'indulgence of half the penance imposed on them and remission of sins'.¹⁶⁷ The misleading terms *indulgentia* and *remissio peccatorum* recur but the central message is clear enough: one year's service earned commutation of half the crusader's penance; two years' service earned the commutation of all his penance. Gregory VIII's letter *Audita tremendi* of 29 October 1187, launching the Third Crusade, contained the same message. Crusaders who 'depart as a penance for their sins and in right faith' were assured 'release from the satisfaction imposed for all their sins which they have rightly confessed'.¹⁶⁸ Celestine III's letter of 25 July 1195, the last crusading bull of the twelfth century, combines the formulas of Alexander III's letter of 1169 and Gregory VIII's of 1187. 'We make that remission of penance imposed by the priestly ministry that our predecessors are known to have instituted in their day, so that those who . . . depart as a penance for their sins and in right faith, shall have full indulgence of their crimes and eternal life.'¹⁶⁹ These more detailed papal promises of the last third of the twelfth century, variations on the theme of 'remission (indulgence) of penances', suggest an increasing caution, even a growing uncertainty, in the curia, responding to the elaboration of the doctrine of indulgences in the schools.

The papacy not only offered the spiritual reward that was the *raison d'être* of the crusade but also provided the disciplinary and organizational framework that made the crusade effective. First, papal legislation concerning the crusading vow (*votum crucis*) enabled the fleeting lay enthusiasm inspired by the preaching of the crusade to be transformed into a commitment to join the expedition. Before the formulation of the *votum crucis* canonists accepted that vows (such as the vow to enter the religious life) belonged purely to the realm of private morality. The vow was a voluntary obligation (*votum voluntarium*), the sanction being that the individual staked his salvation on the fulfilment of his promise to God. Papal legislation concerning the *votum crucis*, however, made the

¹⁶⁶ Alexander III, JL 11218, cols. 384B–386C.

¹⁶⁷ Alexander III, JL 14360, col. 1296AB. Cf. JL 11637, 601A.

¹⁶⁸ Gregory VIII, JL 16019, col. 1542C. ¹⁶⁹ Celestine III, JL 17270, col. 1109C.

crusader's vow an obligation in the public sphere, enforceable by legal sanctions in this world as well as the next.¹⁷⁰ The First Lateran Council (1123) used the sanction of the interdict against reluctant crusaders.

We command by apostolic authority that those who are known to have placed crosses on their garments for the expedition to Jerusalem or to Spain and afterwards to have abandoned them, are to take up the crosses again and to complete the journey between this Easter and the next. Otherwise thenceforward we deny them admission to a church and we forbid the divine offices in all their lands except for the baptism of infants and the confession of the dying.¹⁷¹

Alexander III and Celestine III issued similar decrees.¹⁷² Simultaneously the formalization of the rite for taking the cross (in which the votary received a cross of cloth symbolizing the *votum crucis*) underlined the gravity of the vow.¹⁷³ In 1177, for example, a papal legate described to Alexander III the ceremony in which Count Henry of Champagne made the crusading vow, 'most devoutly receiving the sign of the life-giving cross from the hand of your legate'.

The papacy also promoted the crusade by granting the temporal privileges that encouraged crusaders to absent themselves from their homeland. The First Lateran Council in 1123, summarizing the measures of Urban II, received 'the houses, households and all the property [of crusaders] under the protection of St Peter and of the Roman church'.¹⁷⁴ Eugenius III confirmed this protection in 1145, in terms that were to be repeated by Alexander III and Gregory VIII. 'We decree that [crusaders'] wives and children and also their property and possessions are to remain under the protection of holy church and of us, of archbishops, bishops and other prelates of the church of God.'¹⁷⁵ Eugenius III's letter *Quantum praedecessores* also conferred financial and judicial privileges not previously mentioned in papal documents concerning the crusade. The papal measures to assist crusaders in financing their expedition had the effect of depriving third parties of their rights. First, 'those who are burdened with debt to others and begin the holy journey with a pure heart, are not to pay interest for time past'.¹⁷⁶ Secondly, 'if their kinsmen or the lords to whom their fiefs belong either will not or cannot lend them money, after due warning they may pledge their lands or other possessions, freely

¹⁷⁰ It was perhaps the formulation of the *votum crucis* during the First Crusade that inspired canonists and theologians to elaborate a coherent doctrine of the vow in the twelfth century. See Brundage (1968) and (1969), pp. 33–7.

¹⁷¹ Concilium Lateranense I c.10. Noth (1966), p. 138, regarded this as the first formal papal statement of the sanctions that enforced the *votum crucis*. His view was contested by Brundage (1971) pp. 334–43.

¹⁷² Alexander III, JL 14077, Mansi 21, col. 1098; Celestine III, JL 17307, col. 1135BD.

¹⁷³ Brundage (1966), pp. 289–310. ¹⁷⁴ Concilium Lateranense I c.10.

¹⁷⁵ Eugenius III, JL 8876, in Caspar and Rassow (1924), p. 304. Cf. Alexander III, JL 11218, 11637, 14360, cols. 385D, 601B, 1295D; Gregory VIII, JL 16019, col. 1542C.

¹⁷⁶ Eugenius III, JL 8876, in Caspar and Rassow (1924), p. 304.

and without any appeal, to churches or churchmen or any other of the faithful'.¹⁷⁷ This innovatory papal interference into secular affairs enabled crusaders to pledge their family lands or fiefs, while depriving their kindred or feudal lords of their customary rights over the crusaders' lands. Finally, *Quantum praedecessores* delayed all judicial proceedings affecting the interests of absent crusaders.¹⁷⁸ All these temporal privileges were confirmed in later crusading bulls, transforming the crusaders into an elite, quite distinct from the rest of the laity.¹⁷⁹ Eugenius III indeed envisaged crusaders claiming the *privilegium fori*, the right to trial in the ecclesiastical rather than the secular courts.¹⁸⁰ This was a privilege, however, which his successors were more anxious to curtail than to confirm.¹⁸¹

When secular princes went on crusade, the pope placed their lands under the protection of St Peter. During the absence of the kings of France and Germany on the Second Crusade, for example, Eugenius III guaranteed the security of their kingdoms. The pope's biographer described how in the abbey of St-Denis he 'placed on the king the sign of the cross . . . and at his request received the kingdom into his hands and into his power'.¹⁸² Abbot Suger of St-Denis, appointed by Louis VII as regent, was simultaneously acknowledged by the pope as the guardian of the interests of the absent crusader. (This was the papal office known later as *conservator cruce signatorum*.) Suger's biographer underlined the two aspects of the abbot's authority. 'The new ruler was immediately girded with twin swords, one material and royal, the other spiritual and ecclesiastical, but both from heaven and committed to him by the supreme pontiff'.¹⁸³ The German kingdom, entrusted to Henry, the ten-year-old son of King Conrad III, was likewise accorded apostolic protection. Eugenius III's privilege declared that 'the honour' of the young king must 'suffer no damage or diminution in his father's absence, under the protection of St Peter'.¹⁸⁴ When Count Henry I of Champagne took the cross and departed for the east (1179),

¹⁷⁷ *Ibid.*

¹⁷⁸ The crusader's right to a delay in judicial proceedings appears under the technical name of 'essoin' in the late twelfth-century English treatise on secular law, 'Glanvill' or *Tractatus de legibus et consuetudinibus regni Anglie* II.29, pp. 16–17: the 'essonium de esse in peregrinatione' is here limited to one year.

¹⁷⁹ Alexander III, JL 11218, II637, 14360, cols. 386AB, 601BC, 1295D–1296A; Gregory VIII, JL 16019, col. 1542D.

¹⁸⁰ Eugenius III, JL 9166, ed. S. Loewenfeld, *Archives de l'Orient latin* 2 (1884), p. 253 (Count William II of Ponthieu should appear in the ecclesiastical court in a case involving title to property); JL 8959, *Epistolae pontificum Romanorum ineditae*, pp. 103–4 (English barons who had lost their lands in the civil war could not claim the *privilegium fori* because their complaint predated their taking the cross).

¹⁸¹ E.g. Alexander III, JL 14002, *Decretales Gregorii IX* IV. 17.7. See Brundage (1969), p. 171.

¹⁸² Boso, 'Vita Eugenii III', II, p. 387. Cf. Eugenius III, JL 9345, col. 1394D. See Fried (1980), pp. 110–11.

¹⁸³ William of St-Denis, 'Vita Sugerii abbatis' III.2. See Grabois (1964a).

¹⁸⁴ Eugenius III, JL 9214, col. 1321A. See Fried (1980), pp. 111–12.

Abbot Henry of Clairvaux petitioned Alexander III on his behalf that his land should be 'fortified and defended by apostolic protection, so that anyone who plots any harm to it in the prince's absence may be in no doubt of incurring your indignation'.¹⁸⁵ The most controversial case involving papal protection of the lands of an absent crusading prince was that of King Richard I of England. When the returning crusader was imprisoned in Germany by his enemy Emperor Henry VI (1193–4), Celestine III came under strong pressure from Richard's supporters to use ecclesiastical sanctions to secure his release.¹⁸⁶ The pope was moved to excommunicate Richard's younger brother, John, who was plotting against the absent king, giving as his justification the papal protection for the property of crusaders. The absent king had 'left the concerns of his kingdom under apostolic protection'.¹⁸⁷ His own precarious political situation, however, inhibited Celestine III from excommunicating Emperor Henry VI: he chose to blame 'the excesses of [the emperor's] vassals'.¹⁸⁸

The special status and temporal privileges granted to the crusaders in the east were also accorded to those who fought the Muslims in Spain. In Calixtus II's letter of 1123 the papacy for the first time promised to knights engaged in a Spanish expedition 'the same remission of sins that we have made for the defenders of the eastern church'.¹⁸⁹ The First Lateran Council in 1123 and the Second Lateran Council in 1139 similarly equated the war in Spain with that in Outremer: both were crusades.¹⁹⁰ Ecclesiastical politicians in Spain emphasized the connection between these two holy wars. 'Just as the knights of Christ and the faithful sons of holy church have opened up the route to Jerusalem with much labour and at the cost of great bloodshed', declared the papal legate, Archbishop Diego Gelmírez of Compostela, in 1124, 'so we also shall be made knights of Christ and by subduing His enemies, the evil Saracens, we shall open up to the same Sepulchre of the Lord, with His help, a route through the Spanish territories that is shorter and much less laborious'.¹⁹¹ In the years 1147–8 the two crusades did indeed coincide. An Anglo-Flemish-German

¹⁸⁵ Henry of Clairvaux, 'Epistola' 1. Cf. Alexander III, JL 13445, for the regent, Countess Marie of Champagne (*Epistolae pontificum Romanorum ineditae*, p. 179), the only extant personal papal letter of protection of the twelfth century: see Fried (1980), pp. 115–16.

¹⁸⁶ Peter of Blois, 'Epistolae' 144–6 (on behalf of Eleanor, the queen-mother); *ibid.* 64, PL 207, cols. 187A–190A (on behalf of Archbishop Walter of Rouen).

¹⁸⁷ Celestine III, JL 16765, col. 899c. See Foreville (1943), p. 355; Brundage (1963), pp. 448–52; Gillingham (1978), pp. 217–40; Fried (1980), pp. 117–18.

¹⁸⁸ Celestine III, JL 17226, col. 1089c. The pope excommunicated Duke Leopold of Austria, who had taken Richard I prisoner and subsequently surrendered him to Henry VI. See below p. 383.

¹⁸⁹ Calixtus II, JL 7116, col. 1305c. See Fletcher (1984), pp. 297–8.

¹⁹⁰ Concilium Lateranense I c.10; Concilium Lateranense II c.18.

¹⁹¹ Diego Gelmírez, archbishop of Compostela, address to the legatine council of Compostela, 1124, *Historia Compostellana* 11.78. See Villey (1942), p. 199; Fletcher (1984), pp. 298–9.

naval expedition bound for the Second Crusade in Palestine was persuaded to participate in the conquest of Lisbon in October 1147. Simultaneously 'the Genoese were admonished and summoned by God through the apostolic see' to assist Count Ramón Berenguer IV of Barcelona in the siege of Tortosa.¹⁹² The military religious orders, the Templars and Hospitallers, founded for the defence of the crusader kingdom of Jerusalem, accumulated extensive estates in Spain and became involved in their defence against the Muslims. The Spanish kings, notably King Alfonso I of Aragon, envisaged their playing a major part in the wars of the 'Reconquest'.¹⁹³ This role was eventually to be shared with the new Spanish military orders of Calatrava and Santiago, the foundation of which 'represented an institutionalization of the war against the Muslims'.¹⁹⁴ It was Alexander III who conferred legitimacy on these new institutions, approving the rules of the new orders in 1164 and 1175 respectively and placing them under papal protection.¹⁹⁵

Of the popes of our period it was Celestine III who most consistently interested himself in the holy war in Spain. As Cardinal Deacon Hyacinth of S. Maria in Cosmedin, he had been the curia's expert on Spanish affairs, undertaking two lengthy legations (1154–5 and 1172–5). At his legatine council of Valladolid (1155) he had called for an expedition against the Saracens, promising the same indulgence that Urban II had formerly granted the crusaders.¹⁹⁶ In 1172 he had participated in the attempt of King Alfonso VIII of Castile to organize an expedition.¹⁹⁷ As pope he issued in 1193 a crusading bull for Spain, offering Spanish crusaders the spiritual reward and the temporal privileges of 'those who have journeyed to the Lord's Sepulchre'.¹⁹⁸ Celestine III promoted the holy war in Spain by forbidding Spanish knights to participate in the crusade to the east.¹⁹⁹ By his authority, knights from Bordeaux who had bound themselves by a crusading vow to Jerusalem were permitted instead to fight in Spain.²⁰⁰ Celestine's legatine experience had shown him how much the Spanish crusade was impeded by the rivalries of the Christian rulers. One of his principal preoccupations as pope was, therefore, to compel the reluctant

¹⁹² Caffaro di Caschifellone, 'Annales Ianuenses' 1147, p. 36. See Constable (1953), pp. 227–33; O'Callaghan (1975), pp. 230–2.

¹⁹³ Alfonso I of Aragon bequeathed his kingdom to the military orders of the Holy Sepulchre, the Hospital and the Temple (1131). His will was ignored by his subjects after his death (1134) but upheld by Innocent II. See Forey (1973), pp. 17–20; Lourie (1975), pp. 635–51; O'Callaghan (1975), pp. 222–6.

¹⁹⁴ Lomax (1978), p. 109.

¹⁹⁵ Alexander III, JL 11064, 12504, cols. 310C–312A, 1024D–1030C. See O'Callaghan (1959), (1960) and (1962).

¹⁹⁶ Erdmann (1928), p. 55, appendix v; Säbekow (1931), pp. 48–51. ¹⁹⁷ Säbekow (1931), pp. 53–5.

¹⁹⁸ *Papsturkunden in Spanien*, II, p. 200. ¹⁹⁹ Villey (1942), p. 200.

²⁰⁰ Celestine III, JL 17539, *Neues Archiv* 6 (1880), p. 369.

kings and princes of Spain to unite against the Muslims. In 1195, calling for peace among Christians, he threatened with excommunication those Spanish princes who made war on neighbours who were engaged in the crusade.²⁰¹ When in 1196 King Alfonso IX of León made an alliance with the Almohads, Celestine excommunicated him, declaring that if Alfonso made use of Muslim troops, 'the vassals of his kingdom would be absolved from his fealty and lordship by the authority of the apostolic see'.²⁰²

Before the pontificate of Celestine III Spanish princes had figured in papal records mainly as a source of financial support. A number of the Christian rulers of the Iberian peninsula made an annual payment of *census* to the apostolic see. The count of Barcelona had begun to make such a payment when Berenguer Ramón II became a vassal of the Roman church, surrendering his city of Tarragona (1090).²⁰³ There is, however, no reference in twelfth-century papal documents to this feudal relationship. Adrian IV recorded in 1158 that the person and lands of Count Ramón Berenguer IV were 'under St Peter's and our protection' because he was engaged in 'subduing the barbarous peoples and the savage nations, that is, the fury of the Saracens'. The count of Barcelona now enjoyed the status of a crusader.²⁰⁴ The king of Aragón paid to St Peter an annual *tributum* of 500 *mancusi* and each of his vassals paid an additional *mancusus*. This substantial tribute was paid not because he was the pope's vassal, but because he enjoyed the protection of St Peter.²⁰⁵ His status was analogous to that of a monastery on which the pope had conferred St Peter's *patrocinium*.²⁰⁶ (Hence the papacy's interest in Aragonese affairs, such as, for example, Innocent II's preoccupation with the testament of King Alfonso I.)²⁰⁷

Afonso I Henriques of Portugal acquired a status analogous to that of the king of Aragon when, in the words of Lucius II's privilege of 1144, he 'offered to St Peter the land committed to [him] by God . . . and committed [his] person and land to his protection'.²⁰⁸ Afonso Henriques had assumed the title of 'king of the Portuguese' (*rex Portugalsensium*) after his great victory over the Muslims

²⁰¹ Celestine III, JL 17265, *ibid.*, p. 369.

²⁰² Celestine III, JL 17433, *Regesta pontificum Romanorum*, II, p. 626.

²⁰³ Jordan (1933-4), p. 79, Fried (1980), pp. 87-101. ²⁰⁴ Adrian IV, JL 10419, col. 1570CD.

²⁰⁵ This relationship dated from the pilgrimage to Rome of King Sancho Ramirez of Navarre and Aragon (1068): see Fried (1980), pp. 63-87. The *mancusus* was an Arab gold coin regarded as equal to the more frequently used *marabotinus*. For the purposes of comparison it should be noted that the average annual *census* paid by monasteries enjoying the protection of St Peter was two *marabotini*: see Jordan (1933-4), p. 72; Pfaff (1956), p. 7. The annual *census* paid by the papal vassal kingdom of Sicily in 1139 was the equivalent of 1,200 *marabotini*, raised in 1156 to the equivalent of 2,000 *marabotini*: see below p. 367.

²⁰⁶ Tellenbach (1950), p. 53.

²⁰⁷ *Papsturkunden in Spanien*, I, p. 318 (no. 50). See Kehr (1928), pp. 46-7; Lourie (1975); Fried (1980), pp. 189-90.

²⁰⁸ Lucius II, JL 8590, cols. 860D-861A.

on 25 July 1139. His assumption of the royal title and his request for the *patrocinium* of St Peter were equally intended to secure the independence of the county of Portugal from the kingdom of León. The papacy initially ignored the royal title: Lucius II's privilege called Afonso Henriques 'duke' (*Portugalen-sium dux*). In 1179, however, Alexander III acclaimed him as 'the intrepid destroyer of the enemies of the Christian name and the energetic defender of the Christian faith'. Afonso I had earned the title of king and the pope declared that his kingdom 'belongs to the jurisdiction of St Peter'.²⁰⁹ The practical significance of this change for the papal government was that, while as *dux* Afonso I Henriques had paid an annual *census* of four ounces of gold, as *rex* his *census* increased fourfold and moreover he sent a gift of 1,000 gold pieces to the pope.²¹⁰

The case of Portugal was characteristic of the relations of the peripheral lands of western Christendom with the papacy in the twelfth century. Secular rulers desired the pope to use his unique authority to legitimize their political aspirations and they would pay generously for papal support in the form of the *patrocinium* of St Peter. The papacy meanwhile wished to promote reform in the churches of the peripheral lands, gaining access for papal legates and promoting the reorganization of ecclesiastical structures. The mutual benefits of these relationships are illustrated by the papacy's interventions in Scandinavia. The key event was the legation of Cardinal Nicholas of Albano (the future Adrian IV) in 1152–3. According to his biographer, he brought 'peace to the kingdoms, law to the barbarians, tranquillity to the monasteries, order to the churches, discipline to the clergy and a people pleasing to God, devoted to good works'.²¹¹ Arriving in Norway, he reconciled the feuding dynasts and underpinned the authority of King Inge. His legatine council strengthened the economic position of the church and the social status of the clergy. Most importantly he established Nidaros (Trondheim), the centre of the cult of St Olaf, as the metropolitan church of Norway.²¹² Cardinal Nicholas's attempt to create a metropolis for the Swedish kingdom failed because he could not find a location acceptable to both the mutually hostile peoples inhabiting Sweden, the Goths and Swedes. As pope, Adrian IV continued to press the case for a Swedish metropolis, authorizing the archbishop of Lund 'to appoint a metropolitan in that kingdom with the consent of the king, the bishops and the princes of that land'.²¹³ Eventually the inhabitants of the kingdom agreed on the site of Uppsala and in 1164 Alexander III responded to their petition by conferring the metropolitan dignity.²¹⁴

²⁰⁹ Alexander III, JL 13420, col. 1237B, 1237D. See Erdmann (1928), pp. 29–32, 49–50; O'Callaghan (1975), pp. 226–7, 241; Fried (1980), pp. 125, 140–2.

²¹⁰ Erdmann (1928), p. 49; Jordan (1933–4), p. 80. ²¹¹ Boso, 'Vita Hadriani', II, p. 388.

²¹² Seegrün (1967), pp. 146–70. ²¹³ Adrian IV, JL 10454, in Seegrün (1967), pp. 174–5.

²¹⁴ Alexander III, JL 11047–8, cols. 301C–303D.

The papacy recommended the creation of a separate metropolitan dignity because in a land so far from Rome and 'not long converted to the faith', an authoritative figure was needed who could 'more frequently and more usefully take care of what concerns the salvation of the faithful'.²¹⁵ The new metropolis, however, also had a political significance that would not be lost on the Scandinavian kings. In Norway, torn by dynastic disputes, and Sweden, divided by the hostility of Goths and Swedes, the new metropolis was a valuable symbol of unity and political stability.²¹⁶ In return, the Norwegian and Swedish kings were willing to pay an annual *census* in order to be bound more closely to the Roman church. This payment (analogous to that paid by the Danish kingdom since the early eleventh century) seems to date from the legation of Nicholas of Albano.²¹⁷ In the case of Sweden at least the papal curia linked the payment of *census* directly with the *patrocinium* of St Peter. 'We demand this [*census*]', wrote Anastasius IV, 'assuredly not so much for our own benefit as for the salvation of your souls, since we desire that through the service of inward devotion you obtain St Peter's protection.'²¹⁸

It was not only the Scandinavian kings, however, who desired a closer relationship with Rome. Churchmen also realized that papal patronage might promote the aspirations of their churches or protect them from secular interference. The first important adherent of the papacy in Scandinavia was Archbishop Eskil of Lund, friend of Bernard of Clairvaux and responsible for introducing Cistercian monasticism into Denmark and Sweden. Eskil came to Rome in 1157 seeking papal protection against his enemies King Swein of Denmark and the latter's supporter and kinsman, Archbishop Hartwig of Bremen. Adrian IV defended Eskil from Hartwig's scheme to subject Lund to the jurisdiction of Bremen by granting his protégé the office of papal legate and conferring on Lund a primacy over the Swedish and Norwegian churches.²¹⁹ Hartwig's plan was supported by his lord, Emperor Frederick I (who had assisted the efforts of Swein, his vassal, to obtain the Danish crown). The papacy's championing of Eskil's cause, therefore, contributed to the deterioration of papal-imperial relations in the later 1150s.

A similar enthusiast for papal authority was Eysten Erlendsson, whom Alexander III consecrated as archbishop of Nidaros in 1161. Archbishop Eysten brought about the election in 1163 of King Magnus Erlingsson, claiming a role for the episcopate in king-making for the first time and performing the first consecration and coronation of a Norwegian king. On this occasion he obtained

²¹⁵ Adrian IV, JL 10454, in Seegrün (1967), p. 174.

²¹⁶ Seegrün (1967), p. 203: 'For the Scandinavian kings the papal policy, contact with the popes in general, always meant a strengthening of their power.'

²¹⁷ *Ibid.*, pp. 154–5, 167, 169–70. See *NCMH*, IV, Part I, ch. II.

²¹⁸ Anastasius IV, JL 9938, col. 1088B. ²¹⁹ Seegrün (1967), pp. 171–7.

from the boy king an oath of fidelity and obedience to the Roman church. Magnus swore to observe the reforming legislation of Cardinal Nicholas of Albano, to pay the annual *census* to the papacy and to show 'due reverence and obedience' to the church in Norway. This unconventional royal promise was evidently modelled on the oath sworn to the pope by metropolitans.²²⁰ After attaining his majority King Magnus, still under the influence of Archbishop Eysten, confirmed the bishops' role in the election of the king and freed episcopal elections from secular control. The adventurer who defeated Magnus and usurped his throne (1180), Sverri Sigurdsson, strove to recover control over the election of bishops and ecclesiastical property. Archbishop Eysten's successor, Eric Ivarsson, driven into exile, appealed to Rome against the usurpation and the attack on the church's rights. Celestine III's sentence of excommunication against the king and his adherents (1193) unleashed a protracted struggle between *regnum* and *sacerdotium*, culminating in the papal interdict imposed on Norway in 1198.²²¹

The peripheral land that offered the greatest challenge to papal diplomacy was the English kingdom. The record of the papal revenues compiled in 1192, the *Liber Censuum*, suggests that, of the contributions of the western kingdoms to the annual income of the pope, the largest was that made by England. The English payments exceeded even that of the papal vassal kingdom of Sicily.²²² The most important element in the English contribution was 'Peter's pence', the pious offering contributed annually by the churches in each diocese. The king played an important role in the collection of Peter's pence and was responsible for its despatch to the papal curia. 'No one in the kingdom would have considered paying us for an instant, if the king had not given his general command,' Bishop Gilbert Foliot of London informed the pope in 1165. For 'according to ancient custom it is collected at a fixed time by [the king's] command'.²²³ The king was therefore in a position to withhold this valuable donation in order to put pressure on the papal curia. This was the strategy of King Henry I in defence of the 'customs' of the Anglo-Norman kings – that is, their control of ecclesiastical affairs in their dominions – against the reforming legislation of the Gregorian papacy.²²⁴ There is no evidence of the royal manipulation of Peter's pence from the 1120s to the early 1160s; but in the years 1166–9 there

²²⁰ Holtzmann (1938), pp. 376–7. See Seegrün (1967), pp. 154, 187–99.

²²¹ Innocent III, *Register* 1.382 (Potthast 386), *PL* 214, cols. 362A–363A. See Foreville and Rousset de Pina (1953), pp. 265–7.

²²² Pfaff (1953), p. 114.

²²³ Gilbert Foliot, bishop of London, *Letter* 155, p. 206. This payment is described in the *Liber censuum*, 1, p. 226, as 'denarius beati Petri'. The curia also called it 'census beati Petri' and 'eleemosyna beati Petri': Paschal II, *JL* 5883, 6450, *PL* 163, cols. 81A, 377C. See Jordan (1933–4), pp. 77–8; Lunt (1939), pp. 3–34 and also *NCMH*, IV, Part 1, ch. 11.

²²⁴ Eadmer, *Historia novorum* III, p. 132. See Lunt (1939), pp. 36–7, 47.

is evidence that King Henry II resorted to his grandfather's tactics. In the interests of preserving Henry I's 'customs' Henry II seems to have used the threat of withholding Peter's pence in his negotiations with the impoverished and beleaguered Alexander III.²²⁵ The twelfth-century papacy faced no more delicate operation than that of balancing their need for good relations with the English king with their wish to protect the liberty of the English church.

In their conduct towards the papacy the twelfth-century English kings adopted the model of King Henry I, who, as his grandson is alleged to have boasted, was 'king, apostolic legate, patriarch, emperor and everything he wished to be, in his own land'.²²⁶ Henry I was accused by Paschal II of neglecting the rights of the papacy in that he ignored the canon law principle that the greater ecclesiastical cases (*maiores causae*) must be referred to the judgement of Rome. 'You settle the affairs of bishops without consulting us . . . You take away from the oppressed [the right of] appeal to the holy see.'²²⁷ In fact during Henry I's reign four *maiores causae* brought English churchmen to the papal curia: the dispute over the papal decree against the investiture of bishops by kings; the claim of the archbishop of Canterbury to be primate of the kingdom of England and indeed of all Britain; the claim of the archbishop of York to be the metropolitan of the Scottish bishops; the appeal of the bishop of Llandaff against the encroachments of his neighbours, the bishops of Hereford and St Davids. Even the lesser clergy of the English kingdom were beginning to appeal to Rome against the judgements of the ecclesiastical courts in England.²²⁸ King Henry I was aware that, thanks to the vision and energy of the Gregorian papacy, the curia had become an inescapable fact of the life of western Christendom. Rome was now exercising its centripetal attraction on English churchmen as on churchmen everywhere, as appellants sought to enlist papal authority in the interests of securing their own rights. Henry I himself saw the value of seeking St Peter's confirmation for his royal rights. When he met Calixtus II in Gisors in 1119, he asked the pope to grant him 'all the customs that his father had possessed in England and Normandy'.²²⁹

Henry I seems to have been determined not that papal authority should be totally excluded from his territories but that it should be admitted only on his terms and with his consent. Thus in his conversation with the pope

²²⁵ Gilbert Foliot, *Letter* 177, p. 250 (1166/7); royal constitutions concerning the church, 1169, *Councils and Synods*, p. 936; see Knowles, Duggan and Brooke (1972), pp. 757–71. Cf. William fitz Stephen, *Vita sancti Thomae* c.65, *Materials*, III, p. 74; Edward Grim, *Vita sancti Thomae* c.56, *ibid.*, II, p. 406. See Lunt (1939), pp. 49–50.

²²⁶ John of Salisbury, *Letter* 275, p. 580. See Deér (1964), pp. 168–81.

²²⁷ Paschal II, JL 6453; Eadmer, *Historia novorum* v, p. 233. See Brett (1975), pp. 36–7. On the *maiores causae* see *NCMH*, IV, Part 1, ch. II.

²²⁸ Brett (1975), pp. 50–7.

²²⁹ Eadmer, *Historia novorum* v, p. 258. Cf. Hugh the Chanter, *History of the Church of York*, pp. 126–32.

in 1119 he specifically identified the sending of papal legates to England as a practice contrary to the royal 'customs'. His objection to legates was shared by the church of Canterbury, which claimed for the archbishop the status of permanent legate in the kingdom.²³⁰ Nevertheless in 1124 the papal legate John of Crema, cardinal priest of S. Grisogono visited Normandy and in 1125 he 'travelled throughout almost the whole of England, venturing nearly to Scotland, and celebrated a council in London, . . . something that no Roman legate had ever done in the time of the two Williams'. This legation, unlike others during the reign, was opposed neither by the king nor by the archbishop of Canterbury, William of Corbeil, and it demonstrated how useful papal authority could be to both of them. First, John of Crema annulled the marriage between Henry I's nephew and rival William Clito and the daughter of the count of Anjou, Henry's principal enemy in France. The legate thus removed a dangerous threat to Henry's hold over Normandy.²³¹ Secondly, John of Crema had instructions from the pope to investigate the contentious claim of the archbishop of Canterbury to primatial jurisdiction over York. William of Corbeil believed that such an investigation in an English council (in which the archbishop of York's supporters would be in a minority) would vindicate the claims of his church.²³² In 1126 Honorius II further conciliated King Henry I by granting a legatine commission to Archbishop William of Canterbury 'in England and Scotland'.²³³ This was compensation for the pope's refusal to recognize Canterbury's primatial claim. The Canterbury–York dispute continued to surface throughout the twelfth century and the papacy continued to use the same compromise solution, granting a legatine commission to Archbishop Theobald of Canterbury (1150) and to his successors, Richard (1174), Baldwin (1185) and Hubert Walter (1195).²³⁴

The reign of King Stephen provided unusual opportunities for papal intervention in the English church and kingdom. First, the disputed succession to the English throne was referred to the judgement of the papacy; secondly, the dominant figure in the English church was an enthusiast for papal authority. Henry of Blois, bishop of Winchester, brother of King Stephen, enjoyed a papal legation in England (1139–43) thanks to his friendship with

²³⁰ Southern (1963), pp. 130–42; Brett (1975), pp. 35–41.

²³¹ Hugh the Chanter, *History of the Church of York*, p. 204. Cf. Orderic Vitalis, *Historia ecclesiastica* xi. 37 (vi, pp. 164–6) (the divorce of William Clito). See Tillmann (1926), p. 28; Schieffer (1935), pp. 215–16, 225; Brett (1975), p. 45.

²³² Nicholl (1964), pp. 93–5; Brett (1975), pp. 45–7.

²³³ Honorius II, JL 7284, *Councils and Synods*, p. 743. See Tillmann (1926), pp. 30–3; Dueball (1929), pp. 99–100; Nicholl (1964), pp. 96–7; Bethell (1968), pp. 156–7.

²³⁴ Tillmann (1926), pp. 33–6; Saltman (1956), pp. 30–1; Cheney (1967), pp. 119–22; *Councils and Synods*, pp. 820, 966, 1022, 1042.

Innocent II.²³⁵ English polemicists portrayed him as an ecclesiastical tyrant who sacrificed English 'customs' to Roman influence. 'In England appeals [to Rome] were not in use until Bishop Henry of Winchester in his wickedness cruelly intruded them while he was a legate.'²³⁶ Henry certainly concerned himself with the rights of the papacy²³⁷ and he was not loath to exploit the precedence over Canterbury that the legatine commission gave him. Nevertheless his legatine councils demonstrated his genuine preoccupation with reform and his determination to defend the freedom of the church against the king.²³⁸

It was perhaps Henry of Winchester who had played the decisive role in negotiating the church's support for his brother's accession on the death of their uncle, King Henry I, in 1135. Stephen's usurpation of the English throne was legitimized by the English church and the papacy, as the new king declared in the opening clause of his charter of liberties for the church (1136). This royal promise of ecclesiastical liberty was the price of papal support for his accession. 'I Stephen, by the grace of God elected king of England with the assent of the clergy and people and consecrated by William, archbishop of Canterbury and legate of the holy Roman church and afterwards confirmed by Innocent, pontiff of the holy Roman see, . . . grant that holy church shall be free and confirm the reverence due to her.'²³⁹ The disputed succession to the English throne continued to preoccupy the papal curia in the following two decades. During the Second Lateran Council (1139) Matilda, daughter and designated successor of King Henry I, challenged Stephen's usurpation and claimed the English throne by hereditary right. Innocent II adhered to his former decision in favour of Stephen. 'Against the advice of certain cardinals, especially Guido, cardinal priest of S. Marco, he accepted King Stephen's gifts and in a friendly letter confirmed his possession of the kingdom of England and the duchy of Normandy.'²⁴⁰ Soon after this confirmation of his title, however, Stephen began to alienate the church by his efforts to regain his predecessor's control over the episcopate. When Cardinal Guido succeeded to the papacy as Celestine II, 'he wrote to Archbishop Theobald of Canterbury, forbidding any innovation to be made in the kingdom of England concerning the crown, which was the subject of a lawsuit and the transfer of which was forbidden by law. His successors, Pope Lucius [II] and Eugenius [III], repeated

²³⁵ Tillmann (1926), pp. 41–50; Voss (1932), pp. 22–38, 41–53; Knowles (1951), pp. 33–7.

²³⁶ Henry of Huntingdon, *Historia Anglorum* x.31, p. 757.

²³⁷ E.g. Henry of Winchester concerned himself with the collection of Peter's pence, which seems to have fallen out of royal control: Brooke (1931), p. 182 n. 1; Voss (1932), p. 49; Lunt (1939), pp. 41–2.

²³⁸ *Councils and Synods*, pp. 781–810; Schnith (1976), pp. 103–15.

²³⁹ *Councils and Synods*, p. 764. See Davis (1967), pp. 18–20; Cronne (1970), pp. 30, 87, 125–6.

²⁴⁰ John of Salisbury, *Historia pontificalis* c. 42, p. 84. Cf. Gilbert Foliot, *Letters*, pp. 60–6; Peter the Venerable, *Letters*, II, 2, pp. 252–6. See Davis (1967), p. 18; Cronne (1970), pp. 89–90; Chibnall (1991), pp. 75–6.

the same prohibition.²⁴¹ In practice, this prohibition of any *innovatio* meant that Stephen could not proceed with his plans to have his son crowned king. The change in papal policy made possible the succession of King Henry II, son of Stephen's rival, Matilda.

The first five years of Henry II's reign coincided with the period in which English influence was strongest in the papal curia, the pontificate of Adrian IV, the English pope. (As Cardinal Bishop Nicholas of Albano he had been the second Englishman to be promoted to the cardinalate, the first being the theologian Robert Pullen, cardinal priest of SS. Martino e Silvestro, who had filled the important office of chancellor in 1145–6.)²⁴² Adrian IV's attachment to his homeland was demonstrated above all by his devotion to the cult of St Alban.²⁴³ He also promoted the insular and continental ambitions of Henry II in various ways. The pope supported Henry's plan to give Brittany a separate ecclesiastical organization, independent of the archbishopric of Tours, with a series of privileges for the church of Dol, reversing the policy of his immediate predecessors.²⁴⁴ In the case of England Adrian managed to support the interests of both the rival archbishops. He renewed the legatine commission of Theobald of Canterbury, even though he felt obliged to rebuke the archbishop for conspiring with Henry II to block appeals to Rome by English churchmen.²⁴⁵ To Archbishop Roger of York Adrian granted a privilege confirming his metropolitan authority over the bishops of Scotland in terms more specific than any predecessor had been prepared to concede.²⁴⁶ Adrian IV's most striking concession to Henry II was recorded by the English emissary to the papal curia in 1156, John of Salisbury, clerk in Archbishop Theobald's household. 'At my request [Adrian] conceded and gave Ireland as a hereditary possession to the illustrious king of the English, Henry II.' John of Salisbury linked this grant with the claim that 'all islands are said to belong to the Roman church by ancient right, according to the Donation of Constantine'.²⁴⁷ This was the only occasion during the twelfth century on which the Donation of

²⁴¹ John of Salisbury, *Historia pontificalis* c. 42, pp. 85–6.

²⁴² Poole (1934), pp. 287–91; Zenker (1964), pp. 89–92; Smalley (1973), pp. 41–2.

²⁴³ Poole (1934), pp. 291–7; Sayers (1971b), pp. 58–60. On the Breakspear family connection with the abbey of St Albans see Southern (1970), pp. 234, 249. Nicholas Breakspear may have taken his papal name in honour of Adrian I, who was believed to have shown particular reverence to St Alban: see *Councils and Synods*, p. 830.

²⁴⁴ Adrian IV, JL 10063–5, 10102–3, 10362, 10367, 10504. See Foreville and Rousset de Pina (1953), p. 36; Warren (1973), p. 561.

²⁴⁵ Adrian IV, JL 10128, *Historia monasterii sancti Augustini Cantuariensis*, pp. 411–13.

²⁴⁶ Adrian IV, JL 10000, cols. 1391C–1392A. See Somerville (1982), pp. 40–2, 47–8, and also *NCMH*, IV, Part 1, ch. 11.

²⁴⁷ John of Salisbury, *Metalogicon* IV.42, pp. 217–18. Giraldus Cambrensis, *Expugnatio Hibernica* II.5, pp. 144–6 (and also *De rebus a se gestis*, *Opera*, v, pp. 317–18, and *De instructione principum*, *ibid.*, VII, pp. 196–7), preserved a papal letter recording this grant: Adrian IV, JL 10056 (*Laudabiliter*).

Constantine (so important to the Gregorian papacy) was cited in support of papal territorial jurisdiction.²⁴⁸

Henry II expected to find Adrian IV's successor equally accommodating, given Alexander III's need for secular allies during his struggle against Emperor Frederick I in the schism of 1159–77. When in 1161 the king requested the canonization of King Edward the Confessor, the pope was given to understand that Henry considered this favour an appropriate reward for his supporting Alexander in the schism.²⁴⁹ Henry's willingness to permit the English bishops to attend Alexander's council of Tours (1163) was acknowledged by the pope with the promise that 'no new custom would be introduced into his kingdom and the dignity of his kingship would not be diminished'.²⁵⁰ A year later the king turned to the pope for support when challenged by his new archbishop of Canterbury, Thomas Becket, on the question of the punishment of felonious clergy. Henry II requested the papal confirmation of the 'customs' of his kingdom, just as his grandfather had done at his meeting with Calixtus II in 1119. Unlike Henry I, however, Henry II caused his 'customs' to be set down in writing. When the archbishop brought a copy of these 'Constitutions of Clarendon' to the papal curia, he was able to represent them as 'the customs of the king of the English, opposed to the canons and decrees and even to the laws of secular princes, on account of which [Becket was] forced to endure exile'.²⁵¹ Alexander III felt compelled to condemn ten of Henry II's sixteen 'ancestral customs'.²⁵²

Alexander was in an unenviable position, faced with appeals for support both from the king, on whose support he depended, and from the king's opponent, a vociferous champion of the liberty of the English church. Becket's supporters feared that Henry II would succeed in exploiting the pope's current poverty. He was alleged to have offered to increase the annual payment of Peter's pence by 1,000 pounds of silver in return for Becket's deposition.²⁵³ Henry certainly threatened to renounce his obedience to Alexander and to acknowledge the imperial antipope. Alexander could not ignore the king's 'terrible threats' and was well aware that he might 'seem to have acted negligently in [Becket's] cause and

The authenticity of this letter was questioned by Scheffer-Boichorst (1903), pp. 132–57, and Bémont (1925), pp. 41–53, and defended by Sheehy (1965), pp. 15–16; Watt (1970), pp. 35–40; Warren (1973), pp. 194–7.

²⁴⁸ The Donation of Constantine had last been cited in support of a territorial claim by Urban II, JL 5449, PL 151, cols. 330D–331A. See Laehr (1926), p. 34, and also *NCMH*, iv, Part 1, ch. 9.

²⁴⁹ Gilbert Foliot, *Letter* 133, p. 177. See Kemp (1948), pp. 82–3.

²⁵⁰ Alexander III, JL 10834, *Materials*, v, p. 33. See Somerville (1977), pp. 8–9.

²⁵¹ Roger of Pontigny, *Vita sancti Thomae* c.60, *Materials*, iv, p. 62. See Warren (1973), pp. 490–1; Barlow (1986), pp. 122–3; *Councils and Synods*, pp. 894, 915.

²⁵² Constitutions of Clarendon (1164), *Councils and Synods*, p. 877. The customs condemned by the pope (nos. 1, 3–5, 7–10, 12, 15): *ibid.*, pp. 878–83.

²⁵³ William Fitzstephen, *Vita sancti Thomae* c.65, *Materials*, iii, pp. 73–4.

that of the English church'.²⁵⁴ Thomas Becket, who as Henry II's chancellor had been an energetic defender of the royal rights, had been converted by his appointment as the successor of St Augustine of Canterbury into an equally zealous defender of the rights of his patron saint.²⁵⁵ Incurring the enmity of the king and facing certain destruction, he became (like Eskil of Lund and Eric Ivarsson of Nidaros) an enthusiast for papal authority, seeking to enlist the pope's protection for his cause. This apparent opportunism contributed to the ambiguous reputation of Becket in the immediate aftermath of his murder (1170).

Some said that he was condemned as a traitor to the kingdom, others that he was a martyr, since he was a defender of the church. The same question was debated in Paris among the masters. For Master Roger swore that he had been worthy of death, albeit not such a death, judging the constancy of the blessed man to be obstinacy. Master Peter the Chanter swore on the contrary that he was a martyr worthy of God, since he was killed for the sake of the freedom of the church.²⁵⁶

In the settlement that followed the death of Becket the papal legates required the king to 'abjure all the customs against the churches of his kingdom that seem to have been introduced in his time' (1172).²⁵⁷ Such customs, Henry II opined, were 'few or none'.²⁵⁸ The papacy made no attempt to identify the offending customs; there was no reference to the Constitutions of Clarendon. All that the papal legates stipulated was that the king should 'permit appeals of ecclesiastical cases to be made freely to the lord pope, to be handled by him and settled by his judgement'.²⁵⁹ It was the same demand that Adrian IV had made of Henry II. Provided that the proper channels of communication to Rome were left open, Alexander III was prepared to treat the king generously. He acclaimed Henry as 'a devoted son of the church' in the context of his intervention in Ireland.²⁶⁰ He supported the king in the dangerous rebellion of 1173.²⁶¹ He allowed Henry to fill vacant bishoprics with royal servants who

²⁵⁴ Alexander III, JL 11397, col. 483B; JL, 11832, col. 699C (to Thomas Becket). See Barlow (1986), pp. 143–4, 177–8.

²⁵⁵ Brooke (1931), pp. 192–5; Knowles (1963), pp. 98–128, and (1970), pp. 165–71; Smalley (1973), pp. 115–21; Warren (1973), pp. 450–1; Barlow (1986), pp. 88–98.

²⁵⁶ Caesarius of Heisterbach, *Dialogus miraculorum* VIII. 69, ed. Strange, II, p. 139. The question was settled, Caesarius concluded, by the miracles at Becket's tomb. 'Magister Rugerus' was perhaps Master Roger the Norman, canon of Rouen: see Baldwin (1967).

²⁵⁷ Theoduin, cardinal priest of S. Vitale and Albert, cardinal priest of S. Lorenzo (the future Gregory VIII), letter to the archbishop of Sens, *Councils and Synods*, p. 954.

²⁵⁸ Henry II, letter to Bishop Bartholomew of Exeter, *ibid.*, p. 955.

²⁵⁹ Theoduin and Albert, letter, *ibid.*, p. 954.

²⁶⁰ Alexander III, JL 12163, col. 885A (to the kings and princes of Ireland).

²⁶¹ Henry II's son, the young King Henry, sought to enlist the pope's support by representing himself as the champion of ecclesiastical liberty and denouncing his father's episcopal appointments: *RHGF*, xvi, pp. 643–8. Cf. Henry II's letter to Alexander III: *ibid.*, pp. 649–50. See Foreville and Rousset de Pina (1953), pp. 119–20; Warren (1973), pp. 312, 536.

had aided him in the persecution of Becket.²⁶² Henry II continued (like his grandfather) to maintain that contacts between his dominions and the papal curia required his explicit consent. The legate Hugh Pierleone, cardinal deacon of S. Angelo, came to England in 1175 at the king's request, as did Octavian, cardinal deacon of SS. Sergio e Baccho in 1186.²⁶³ When, however, in 1176 Vivian, cardinal priest of S. Stefano in Celio Monte, entered the kingdom, having a legatine commission for Scotland and Ireland, 'without the king's permission', he was detained by Henry II's command. The legate was granted leave to continue his mission after he swore 'that he would do nothing hostile to [the king] or his kingdom'.²⁶⁴ Henry II's successor, Richard I, long obstructed the legation of John of Anagni, cardinal priest of S. Marco (1189). The new king forbade the legate to attend his coronation, lest the papacy in future exploit his attendance as the basis of some novel claim.²⁶⁵ The English episcopate was equally suspicious of Roman innovations. The bishops insisted that only four of their number should attend the Third Lateran Council in 1179 (apparently for reasons of economy).²⁶⁶ In 1184, when Lucius III requested financial aid from the English church, the bishops warned the king that this 'could be turned into a custom, to the detriment of the kingdom'.²⁶⁷

Nevertheless, there is considerable evidence that links between the English church and the papal curia were intensified in the second half of the twelfth century. For in many areas of ecclesiastical life the assistance of Rome had come to seem indispensable. The protection of St Peter was more eagerly sought than ever before. The abbey of St Albans, for example, obtained 100 papal letters between 1159 and 1197, which was five times the number of papal privileges in the abbey's possession before the mid-twelfth century.²⁶⁸ An increasing number of lawsuits were brought to the curia by English churchmen. The most famous was 'the Canterbury case', the attempt by the monks of Christ Church, Canterbury, to prevent Archbishop Baldwin and later Archbishop Hubert Walter from endowing a collegiate church, first at Hackington, subsequently at Lambeth. The case lasted with intervals for fifteen years.²⁶⁹ The unusually abundant documentation of the English church shows that many churchmen served as judges

²⁶² Foreville (1943), p. 380; Mayr-Harting (1965); Duggan (1966), pp. 1–21; Warren (1973), pp. 534–6.

²⁶³ Ralph of Diceto, 'Ex ymaginibus historiarum' 1, pp. 402–3; Roger of Howden (?), *Gesta regis Henrici II*, II, pp. 3–4. See Tillmann (1926), pp. 74, 80–1.

²⁶⁴ Roger of Howden (?), *Gesta regis Henrici II*, I, p. 118. See Tillmann (1926), p. 77; Warren (1973), p. 537.

²⁶⁵ *Epistolae Cantuarienses* 315, p. 300. See Tillmann (1926), p. 84; Cheney (1956), p. 93.

²⁶⁶ Roger of Howden, *Chronica* 1179, II, p. 171. See Cheney (1956), p. 92.

²⁶⁷ Roger of Howden (?), *Gesta regis Henrici II*, I, p. 311. See Lunt (1939), pp. 175–6.

²⁶⁸ Cheney (1956), p. 85.

²⁶⁹ It is documented in the 571 letters of the *Epistolae Cantuarienses*. See Cheney (1956), pp. 3–4, 73–4, 85, 90–2; Mayr-Harting (1965), pp. 45–6; Cheney (1976), pp. 5–8, 208–20.

delegate (local judges appointed by the pope to investigate cases in their locality on behalf of the curia).²⁷⁰ The great variety of legal problems arising from such delegated cases involved the judges delegate in correspondence with the pope, who alone could give an authoritative ruling. The pope's answers to these enquiries (*consultationes*) account for a large part of the *decretales epistolae* issued by the papacy from the pontificate of Alexander III onwards. These papal letters were in turn the raw materials of the decretal collections compiled by canonists for the use of the schools of canon law and the ecclesiastical courts. English canonists were the most numerous and the earliest compilers of decretal collections (beginning in the early 1170s), which explains why so large a proportion of the extant decretals (approximately one half) referred to English churchmen.²⁷¹ English intellectuals contributed greatly to that respect for the legislative authority of the pope that characterized later twelfth-century canonist thinking.

With the kingdom of France the papacy enjoyed for most of the twelfth century a much easier relationship. It was during this period that the foundations were laid for the Franco-papal alliance that was so significant in the thirteenth and fourteenth centuries. Several popes had connections with France that predated their pontificates. The Burgundian Calixtus II, formerly Archbishop Guido of Vienne, had served as Paschal II's permanent legate in eastern France and Burgundy.²⁷² There, 'wherever [he] went as a legate, [he] found scarcely any one of note who was not [his] nephew or close kinsman or [his] vassal'.²⁷³ Innocent II, as Cardinal Deacon Gregory of S. Angelo, had twice visited France as a legate (on both occasions coinciding with Peter Pierleone, cardinal priest of S. Maria in Trastevere, his future rival in the disputed papal election of 1130).²⁷⁴ Celestine II, the former Guido of Castello, had studied in the schools of Paris. The pupil of Peter Abelard, he was one of the most learned men of his generation and the first clerk with the title of *magister* to be promoted to the college of cardinals (1128).²⁷⁵ The future Celestine III, Hyacinth Bobo, had also been a pupil of Abelard, whom he had defended against his opponents in the curia.²⁷⁶ Three popes had formerly made their profession in religious houses in France: Eugenius III (as a monk of Clairvaux), Adrian IV (as a regular canon of St Ruf in Avignon) and Gregory VIII (as a regular canon of St-Martin in Laon).²⁷⁷

²⁷⁰ Morey (1937), pp. 44–78; Cheney (1941), pp. 180–1; Morey and Brooke (1965), p. 243; Sayers (1971a), pp. 9–10. See *NCMH*, IV, Part 1, ch. 11.

²⁷¹ Brooke (1931), pp. 212–14; Holtzmann (1945), pp. 16, 34; Duggan (1963), pp. 66–117.

²⁷² Schieffer (1935), pp. 195–8.

²⁷³ Hugh the Chanter, *History of the Church of York*, p. 118.

²⁷⁴ Schieffer (1935), pp. 214–15.

²⁷⁵ Zenker (1964), pp. 83–4; Luscombe (1969), pp. 20–2; Classen (1974), p. 433, and (1983), pp. 129–30.

²⁷⁶ Zenker (1964), pp. 162–3; Classen (1974), p. 433, and (1983), pp. 130, 133, 150. Cardinal Hyacinth of S. Maria in Cosmedin was also a legate in France in 1162: see Janssen (1961), pp. 80–1.

²⁷⁷ Zenker (1964), pp. 36, 185–6; Kehr (1924), p. 250.

Many prominent figures in the papal curia were similarly connected with France. The papal chancellor Haimeric was a Burgundian²⁷⁸ and his successor, Robert Pullen, had taught theology in the schools of Paris.²⁷⁹ The Frenchman Cardinal Bishop Matthew of Albano, the tireless defender of the cause of Innocent II during his legation in France, had been prior of the monastery of St-Martin-des-Champs,²⁸⁰ where one of his monks was Imar, later cardinal bishop of Tusculum.²⁸¹ The most travelled of the papal legates of the mid-twelfth century, Cardinal Bishop Alberic of Ostia, had also come from St-Martin-des-Champs.²⁸² During Innocent II's pontificate the college of cardinals contained nine Frenchmen, eight of whom were directly linked with Bernard of Clairvaux, Innocent's most important supporter in France.²⁸³ The papal chamberlain Jordan, cardinal priest of S. Susanna was originally a Carthusian in Le Mont-Dieu near Rheims.²⁸⁴ On the eve of the Third Lateran Council Alexander III requested the names of suitable French recruits to the college from his expert on French affairs, the legate Peter, cardinal priest of S. Grisogono, who had been bishop of Meaux before entering the college and who ended his life as archbishop of Bourges. This initiative resulted in the appointment to the college of two French abbots, Henry of Clairvaux (cardinal bishop of Albano) and Bernered of St-Crépin, Soissons (cardinal bishop of Palestrina).²⁸⁵ Such promotions ensured that the influence of French monastic reform and the French schools continued to be felt in the papal curia.

Of the twelve papal councils celebrated in the period from the pontificate of Calixtus II to that of Alexander III, seven took place on French soil. Three of these councils were held in Rheims (1119, 1131 and 1148). This city was chosen partly because the archbishop, enjoying the office and revenues of the count of Rheims, could afford the cost of accommodating the papal curia and partly because the proximity to the imperial territories facilitated the attendance of imperial bishops.²⁸⁶ Most importantly France provided a refuge for the papal curia when Rome became too dangerous. Calixtus II was elected pope in the abbey of Cluny by the cardinals who had accompanied Gelasius II into exile in

²⁷⁸ Schmale (1961b), pp. 97–8. ²⁷⁹ Poole (1934), pp. 287–91; Smalley (1973), pp. 40–1.

²⁸⁰ Berlière (1901); Janssen (1961), pp. 15–18, 30–4; Zenker (1964), pp. 32–4.

²⁸¹ He subsequently entered the abbey of Cluny. See Zenker (1964), p. 44.

²⁸² He was entrusted with legations in England, Scotland, the crusader principality of Antioch and France: see Tillmann (1926), pp. 38–40; Janssen (1961), pp. 39–40; Zenker (1964), pp. 15–20.

²⁸³ The cardinal bishops Drogo and Alberic of Ostia, Stephen of Palestrina, Imar of Tusculum, the cardinal priests Baldwin of S. Maria in Trastevere, Ivo of S. Lorenzo in Damaso (Master Ivo of Chartres), Chrysogonus of S. Prassede, Luke of SS. Giovanni e Paolo. See Zenker (1964), pp. 13–14, 19–20, 40–1, 45, 55, 78–9, 117, 136.

²⁸⁴ Zenker (1964), pp. 104–6. See also Jacqueline (1953), pp. 31–2.

²⁸⁵ Peter of S. Grisogono, *Epistola* (to Alexander III), *PL* 200, cols. 1370D–1372A. On Peter's career see Pacaut (1955), pp. 835–7; Janssen (1961), pp. 61–9, 92–3, 104; Zenker (1964), pp. 162, 165–6.

²⁸⁶ Graboïs (1964b), p. 9.

France (2 February 1119).²⁸⁷ Calixtus remained in France for eleven months and it was there that he held his first two councils (Toulouse and Rheims) in 1119.²⁸⁸ Innocent II fled to France in the seventh month of the papal schism of 1130, his destination perhaps suggested by his principal advisers, the Burgundian Haimeric and Matthew of Albano (born in Rheims). On Innocent's arrival in France (September 1130) the attitude of King Louis VI towards his claims was not yet known and the pope took up residence in Cluny. Once informed by Abbot Suger of St-Denis that the royal council in Etampes had recognized his title, Innocent entered the jurisdiction of the Capetian king.²⁸⁹ He remained in France for seventeen months and here he celebrated his councils of Clermont (November 1130) and Rheims (October 1131), which were triumphs for his cause.²⁹⁰ Eugenius III, escaping from the political turbulence of Rome, spent nine months in France in 1147–8. Except for a fortnight in Champagne, he remained in the Capetian sphere of influence, where he celebrated his council of Rheims (March 1148).²⁹¹ The longest papal visit was the period of three years and five months that Alexander III spent in France (1162–5). He stayed first in Montpellier, in the county of Melgueil, a vassal principality of the Roman church where the pope could raise feudal revenues.²⁹² After holding his council of Tours (May 1163) on the Capetian–Plantagenet frontier, he moved into the Capetian heartland and settled in Sens, where the curia remained from October 1163 until April 1165.²⁹³

It is not surprising, therefore, to find the Capetian kings eulogized in papal documents and in the writings of papal supporters. Innocent II 'chose the most noble kingdom of the French as a safe and proven refuge, after God, for the defence of his person and of the church', wrote Suger of St Denis.²⁹⁴ Alexander III acclaimed King Louis VII as a 'praiseworthy imitator of [his] forebears', with whom persecuted popes had 'always found a haven of longed-for peace and a timely refuge'.²⁹⁵ King Louis VI had in fact been denounced to the pope as 'the new Herod' by Bernard of Clairvaux in 1128 because of his assertion of his royal rights over the churches in his jurisdiction.²⁹⁶ Honorius II, however,

²⁸⁷ Meyer von Knonau (1909), pp. 108–9; Robinson (1990), pp. 63–5.

²⁸⁸ *Regesta pontificum Romanorum*, I, pp. 782–93; Graboïs (1964b), p. 7.

²⁸⁹ Suger of St-Denis, *Vita Ludovici grossi regis* c.32, pp. 258–60. See Graboïs (1981), p. 600.

²⁹⁰ *Regesta pontificum Romanorum*, I, pp. 844–54; Graboïs (1964b), p. 7.

²⁹¹ *Regesta pontificum Romanorum*, II, pp. 40–57; Gleber (1936), pp. 83–102; Graboïs (1964b), p. 8.

²⁹² The county had been a vassal principality of the Roman church since 1085. See Pacaut (1953), p. 18; Fried (1980), pp. 72–3, 130. For Alexander III's council of Montpellier (May 1162) see Somerville (1977), p. 7.

²⁹³ *Regesta pontificum Romanorum*, II, pp. 157–95; Pacaut (1953), pp. 18–23.

²⁹⁴ Suger, *Vita Ludovici grossi regis* c.32, p. 258. ²⁹⁵ Alexander III, JL 10644, col. 100BC.

²⁹⁶ Bernard, 'Epistola' 49. Louis VI was opposed to the plans of Bishop Stephen of Paris to reform the chapter of Notre Dame, Paris, and was involved in disputes with the archbishops of Sens and Tours: see Luchaire (1890), pp. clxxv–clxxviii.

reprimanded Bernard for his attack on the king and in his own correspondence with Louis VI assured him of his paternal affection.²⁹⁷ Innocent II's concern to associate his cause with that of Louis VI and his dynasty was apparent when, during his council of Rheims, he anointed the young Louis VII to the kingship in the presence of his father. The coronation was a celebration of both the Capetian and the papal monarchy, the pope being 'clad in all his insignia and, as [was] his custom on great and holy festivals, crowned with the *phrygium*',²⁹⁸

Louis VII in fact began his reign with a quarrel with Innocent II. In 1137, failing to secure the election of his chancellor Cadurc as archbishop of Bourges, the king refused to acknowledge the successful candidate, Peter de la Châtre. Innocent II vigorously intervened in favour of Peter, who was the nephew of the papal chancellor, Cardinal Haimeric, and placed the king's lands under an interdict.²⁹⁹ The interdict was raised only when Innocent was succeeded by the more diplomatic Celestine II.³⁰⁰ It was Louis VII's recruitment for the Second Crusade that transformed the king's relationship with the papacy. The transformation began when Louis welcomed Eugenius III to Dijon and 'embraced the pope's foot, covering it with kisses and tears' (30 March 1147)³⁰¹ and when, on his departure for the east, the king 'left his kingdom under [the pope's] protection and that of holy church'.³⁰² He returned from the crusade unvictorious but with the reputation of a champion of the Christian faith, 'always making God the beginning and end of his doings'. 'Generous as a king, courageous as a prince, spirited as a knight', wrote the historian of his crusade, 'through his probity he acquired the favour of men, through his piety he obtained divine grace'.³⁰³ To this he added the reputation of a protector of the church's liberty. Henceforward he exercised influence on French ecclesiastical affairs in a subtle manner: there was no repetition of the confrontation at Bourges.³⁰⁴ Louis's support, at considerable risk to himself, for Alexander III during the schism of 1159–77 and for Thomas Becket during the latter's dispute with Henry II of England completed the image of the saintly king. Alexander III in 1161 contrasted Louis VII's conduct with that of Emperor Frederick I, who failed to fulfil the traditional imperial duty of protecting the pope. 'Frederick, whose office requires him to be the advocate and defender of the church, rages cruelly

²⁹⁷ Honorius II's rebuke was contained in a letter (not extant) of the chancellor Haimeric. The contents can be deduced from Bernard, 'Epistola' 51. See Vacandard (1920), I, pp. 1. 277–81.

²⁹⁸ *Chronicon Mauriniacensis monasterii* II. See Klewitz (1941), p. 105; Schramm (1960), p. 120.

²⁹⁹ *Chronicon Mauriniacensis monasterii* III. See Pacaut (1957), pp. 94–9, and (1964), pp. 42–3, 68.

³⁰⁰ Pacaut (1957), pp. 99–100, and (1964), pp. 68–9.

³⁰¹ *Chronicon de Ludovico Francorum rege, fragmentum*, RHGF, XII, p. 91.

³⁰² Eugenius III, JL 9345, col. 1394D.

³⁰³ Odo of Deuil, *De profectione Ludovici VII in orientem* VII, p. 142.

³⁰⁴ Pacaut (1957), pp. 103–4, 147–8.

against her; while you, as a most Christian prince, love and honour her and revere her with a sincere affection.³⁰⁵

The straitened circumstances of the Capetian king often caused him to make financial demands on the churches within his jurisdiction. When requested to aid the refugee papal curia, cut off from its conventional revenues in Rome and the patrimony, the material support that the king offered usually took the form of permission to share in his exploitation of the wealth of the French church.³⁰⁶ The traditional right of hospitality (later known as *procuratio canonica*) could be demanded by the pope from any church, but it was a right that could only be enjoyed *in situ*.³⁰⁷ The curia improvised two further demands from the French church: *subsidia* and ‘provisions’. *Subsidia* or ‘alms’ were emergency supplies which the curia begged from churches where it was not practicable for the pope to seek hospitality. In the case of ‘papal provisions’, the pope requested the king or a bishop to confer a French benefice on a member of the papal curia, who would then draw the salary of that benefice while continuing to serve the pope in the curia. These emergency measures of the papal exile in France were to become a permanent part of the papal financial system which was to be the cause of such hostility towards the later medieval papacy.³⁰⁸

Even after the return to Rome negotiated by Clement III (1188) the popes continued to depend on the financial measures to which the papal curia had resorted during the schism. This dependence helps to explain why the curia avoided conflict with the new French king Philip II Augustus during the 1190s. Philip II antagonized the papacy in two ways: he threatened the French possessions of the absent crusader, King Richard I of England, and he obtained a controversial divorce from a council of French bishops and magnates. Celestine III refrained from taking the decisive measures that would characterize the conduct of his successor, Innocent III, towards the Capetian king.³⁰⁹ A former student in the Paris schools, who during his long career in the curia had experienced two papal exiles in France, Celestine’s natural inclination was to conciliate the French kingdom.³¹⁰ The vulnerability of the papacy and the growing power of Emperor Henry VI served to remind the curia of the value of maintaining good relations with the French king.

The political relationships which most closely affected the security of the twelfth-century papacy were, first, that with the pope’s subjects in the city of Rome; secondly, that with the pope’s traditional protector, the western emperor; thirdly, that with the pope’s vassals, the Norman princes of southern Italy and Sicily. All three relationships were turbulent and sometimes threatened

³⁰⁵ Alexander III, JL 10644, col. 100BC. ³⁰⁶ Pacaut (1964), pp. 91–117.

³⁰⁷ Berlière (1919), pp. 510–11; Brühl (1974), pp. 426–7.

³⁰⁸ Lunt (1934), p. 77; Graboïs (1964b), pp. 15–17.

³⁰⁹ Baldwin (1986), pp. 83–7, 88–9. ³¹⁰ Pfaff (1961), pp. 124–5.

the independence of the papacy. The difficulty of deciding how to respond to such threats was often exacerbated by differences of opinion among the pope's advisers. The cardinals had since the beginning of the twelfth century successfully laid claim to the role of advisers to the pope and it is evident that in times of crisis popes were careful to consult their brethren.³¹¹ What is known of the internal history of the college suggests the existence of rival factions of cardinals eager to influence papal decision-making. Popes seem sometimes to have attempted to use their power of appointing cardinals to control this factionalism and to have recruited cardinals whom they believed to be in sympathy with their own views. This was perhaps the reason for the appointment of papal kinsmen to the college in the pontificates of Lucius II, Clement III and Celestine III.³¹²

In particular, three large-scale creations of cardinals during the twelfth century have been interpreted as papal attempts to introduce reliable supporters into the college. First, in the aftermath of a deadly epidemic (September 1121) Calixtus II was compelled to recruit sixteen new cardinals. Those of his appointees who can be identified were northern Italian and French.³¹³ This has prompted speculation that the pope desired a counterweight to the Roman and southern Italian cardinals whom he inherited from Paschal II and who were unsympathetic to his own aims.³¹⁴ Secondly, Innocent II, who at the outbreak of the schism of 1130 was supported by less than half of the college, made fifty appointments in the course of his pontificate. His identifiable appointees consisted of four Romans, seven northern Italians, one Lorrainer and nine Frenchmen. Innocent's appointments, many of which were made in exile in France or Tuscany, have been interpreted as a deliberate intensification of the trend apparent in Calixtus II's pontificate.³¹⁵ Thirdly, in 1187 Clement III inherited a greatly diminished college, perhaps only eighteen cardinals and certainly too few to perform the regular duties of the cardinalate. Between 1188 and 1190 Clement appointed approximately thirty cardinals, of whom the majority were (like the pope himself) Romans, including members of the great families – the Malabranca, de Papa, Bobone-Orsini, Conti-Poli, Cenci, Pierleoni, Crescentii – who dominated Rome. Clement III, the pope who made peace with the city of Rome after forty-five years of conflict, consolidated this peace by means of his appointments to the college.³¹⁶ Our information about individual cardinals is not full enough to pronounce confidently on any aspect

³¹¹ See *NCMH*, IV, Part I, ch. 11. ³¹² Zenker (1964), pp. 41, 132; Pfaff (1955), pp. 86, 91, 92.

³¹³ Hüls (1977), pp. 142–3, 162, 164, 193, 220, 236, 238.

³¹⁴ Klewitz (1957), pp. 372–412; Schmale (1961b), pp. 31–57, 79–80.

³¹⁵ Zenker (1964), pp. 13–14, 19–20, 40–1, 45, 55, 78–9, 117, 136, 202; Tillmann (1972), pp. 336–44; Maleczek (1981), p. 57.

³¹⁶ Wenck (1926), pp. 440–1; Pfaff (1955), pp. 84–93, and (1980), pp. 269, 280.

of the politics of the sacred college. It seems plausible, however, that popes would use their right of nomination to create a compliant college, seeking to present a united front to the dangers that threatened them.

In the case of the city of Rome, the independence of the papacy was threatened during the early twelfth century by the ambitions of the noble families. No Roman family of the twelfth century was powerful enough to dominate the papacy in the manner of the 'aristocratic papacy' of the tenth and early eleventh centuries. The danger was that rival factions inside the college of cardinals would use their allies among the Roman nobility to control papal policy-making. The papal elections of 1124 and 1130 both took place against the background of the power-struggle of the two great Roman clans, the Frangipani and the Pierleoni. The election of Honorius II (16 December 1124) was the work of a faction of cardinals led by the papal chancellor Haimeric, who used the might of the Frangipani to achieve his purpose.³¹⁷ On the death of Honorius II Haimeric's opponents in the college, led by Peter Pierleone, cardinal priest of S. Maria in Trastevere, relied on the support of the latter's family, the Pierleoni, to frustrate Haimeric's second attempt at pope-making.³¹⁸ The reign of Cardinal Peter Pierleone as the antipope Anacletus II gave his family a temporary ascendancy over Rome. They attempted to regain influence in the city by identifying themselves in the mid-1140s with the demands of the Roman citizens for self-government. When the Romans established a commune, 'they appointed as their patrician Jordan, a very great man of the Pierleone family. In order to injure the lord pope they destroyed the palace of Cencius Frangipane, whose family always assisted the church in her hour of need.'³¹⁹

During the years 1143–88 the popes found that the Roman commune was a more formidable enemy than the great Roman families. Developments in Rome paralleled those in the cities of Lombardy and Tuscany, which threw off the government of their bishops and feudal lords, created autonomous city-republics and extended their jurisdiction over the surrounding *contado*. In 1143 the Romans determined to conquer Latium as the Roman *contado* and when Innocent II opposed their ambitions, they rebelled against him, rejecting the papal claim to exercise secular government over the city. They seized the Capitol and set up a senate, whose members exercised executive and judicial authority, declared war and made treaties.³²⁰ Forty-five years of

³¹⁷ Klewitz (1957), pp. 243–7; Schmale (1961b), pp. 120–3; Stroll (1987), pp. 11–12, 82, 140–1, 156–7; Robinson (1990), pp. 65–9. See also below p. 373.

³¹⁸ Klewitz (1957), pp. 209–29; Schmale (1961b), pp. 145–61; Stroll (1987), pp. 82–90; Robinson (1990), pp. 69–75. See also below p. 373.

³¹⁹ John of Salisbury, *Historia pontificalis* c.27, p. 59. See Palumbo (1942), pp. 198, 291.

³²⁰ Halphen (1907), pp. 53–7; Rota (1953), pp. 41–63; Partner (1972), pp. 178–81; Benson (1982), pp. 340–59.

sporadic hostilities between pope and commune (intensified during the papal schism of 1159–77, when the Romans sided with the emperor)³²¹ demonstrated that the pope had not the power to abolish the senate. Eugenius III was the first to accept that the pope must reach a compromise with the Romans. In 1145 he made peace on the basis 'that the senators should hold their office by [the pope's] authority'.³²² This compromise was also the basis of the treaty made by Clement III with the senate (31 May 1188), which enabled the pope once more to reside peacefully in Rome. Every year the senators must swear fealty to the pope; but in return the pope must abandon his resistance to the territorial ambitions of the Roman commune.³²³

The hostility of the Romans during most of the twelfth century made the papacy more dependent on the aid either of his traditional defender, the emperor, or on his more recently acquired protectors, the Normans of southern Italy and Sicily. The relationship of the popes with the Norman princes was that of lord and vassal: the princes took an oath to be 'faithful to blessed Peter and to the holy Roman church and to my lord the pope'.³²⁴ Southern Italy was the only region outside the Patrimony of St Peter where the papal claim to feudal suzerainty could be of direct practical significance. This feudal relationship with the papacy had legitimized the building of the Norman principalities in the eleventh century. It subsequently involved the papacy in the construction of a single Norman kingdom of Sicily in the twelfth century. At the beginning of our period Calixtus II and Honorius II enjoyed a close friendship with Duke William of Apulia (1111–27), a loyal vassal and pious prince, whose coins bore the head of St Peter.³²⁵ The popes readily intervened in Apulia on the duke's behalf to restrain his rebellious vassals; they received oaths of fealty from the Apulian counts and barons in the interests of preserving peace. They also tried to protect William from his predatory kinsman and vassal, Count Roger II of Sicily (1105–54), who had extorted the territory of Calabria from him after four years of warfare.³²⁶ On the death of the childless William (1127) the heir to the duchy of Apulia was this same Roger, whom the papal curia had so often vainly reproved for his tyrannical conduct towards the Sicilian church.

The prospect of the succession of so unsympathetic a vassal prompted the curia to impose its own highly anachronistic interpretation of the feudal relationship. The southern Italian fiefs were held by the Norman vassals solely by the pope's permission: it was not hereditary succession but papal investiture

³²¹ Petersohn (1974), pp. 308–16.

³²² Otto of Freising, *Chronica* vii. 34, p. 367. See Rota (1953), pp. 93–101; Partner (1972), p. 182.

³²³ Treaty of 1188, *Liber censuum*, i, pp. 373–4. See Petersohn (1974), pp. 289–337; Pfaff (1980), pp. 263–5.

³²⁴ Oath of William II of Sicily: *MGH Constitutiones* i, p. 592. Cf. oath of Tancred: *ibid.*, pp. 592–3.

³²⁵ Deér (1972), p. 45. ³²⁶ Kehr (1934), p. 26; Deér (1972), pp. 162–3.

that gave legal title to the fief.³²⁷ Underpinning this theory was the political idea (inherited from the Gregorian papacy) of *idoneitas*, 'suitability': secular government could be exercised only by a ruler 'suitable... for the honour of holy church'.³²⁸ When Roger II pressed his hereditary claim, Honorius II excommunicated him 'because he seized the title of duke, to which he had no right, without consulting the Roman pontiff'.³²⁹ Both Honorius II (1127–8) and Innocent II (1137–9) organized coalitions of Roger's enemies to expel him from the Italian mainland. Both were defeated by Roger when they tried to impose their conception of the pope's rights over southern Italy.³³⁰ The customary papal political strategy of dividing and ruling the Norman princes was rendered irrelevant by Roger II's triumphant unification of the Norman principalities under his own government. Innocent II was compelled in 1139 to legitimate Roger's achievements by recognizing him as the lawful possessor of 'the kingdom of Sicily, the duchy of Apulia and the principality of Capua'.³³¹ Even in this moment of defeat, however, the papal curia clung to the notion of *idoneitas* as the qualification for secular rule: Roger deserved the kingship because he was 'adorned with prudence, fortified with justice and suitable to rule the people'.³³² After seventeen years of further Norman expansion and encroachment on the Patrimony of St Peter Adrian IV was compelled to conclude the treaty of Benevento (1156), acknowledging Roger's son, William I (1154–66), as the ruler of the whole southern Italian mainland and despoiling the papacy of considerable income and rights of jurisdiction.³³³

The papal defeat of 1156, however, inaugurated three decades of harmonious cooperation between the papacy and the kingdom of Sicily. During the conflict with the empire in the years 1159–77 Alexander III's survival depended in part on the military and financial aid of William I and his successor, William II (1166–89). Hence the eulogies of the Norman kings in Cardinal Boso's biography of Alexander: William I was a 'faithful and devout son of the Roman church'; William II shared his father's 'fidelity and devotion'.³³⁴ This harmony ended with the premature death of William II. In 1189, as in 1127, the death of a childless ruler threatened the papacy with the succession of a far less 'suitable' heir. The hereditary claimant was William's aunt, Constance, who was the

³²⁷ Deér (1972), pp. 51–106, 126–63.

³²⁸ Gregory VII, *Register* ix.3, *MGH Epp. sel.* 11, p. 575. See Robinson (1990), pp. 312–16.

³²⁹ Romuald of Salerno, 'Annales' 1127, p. 418. ³³⁰ Deér (1972), pp. 175–230.

³³¹ Innocent II, JL 8043, col. 479B. See Kehr (1934), p. 42; Deér (1972), pp. 223–30.

³³² Innocent II, JL 8043, cols. 478C–479D.

³³³ Concordat of Benevento, *MGH Constitutiones* 1, pp. 588–91 (nos. 413–4). See Kehr (1934), p. 46; Deér (1972), pp. 247–53, 258–9. See also below p. 378.

³³⁴ Boso, 'Vita Alexandri III', 11, p. 414. See Chalandon (1907), pp. 301, 375.

wife of Henry VI, king of the Germans and future emperor. Faced with the dreadful prospect of 'the union of the kingdom with the empire' (*unio regni ad imperium*), the papal curia once more invoked the principle of *idoneitas*. Like Honorius II and Innocent II, Clement III and Celestine III countered the claim of hereditary right with the claim of the suzerain to choose his own vassal. The pope rejected Constance and invested her illegitimate nephew, Tancred, with the kingdom.³³⁵ The papal strategy was foiled by the premature death of Tancred and the subsequent conquest of Sicily by Henry VI (1194), who finally accomplished 'the union of the kingdom with the empire'.³³⁶

According to tradition, the protection of the pope and of the Patrimony of St Peter was the first duty of the emperor: 'the lord emperor, by virtue of the duty which belongs to his dignity, is the advocate and special defender of the holy Roman church'.³³⁷ Henry V (1106–25), who concluded the Concordat of Worms with the papacy, signally failed to fulfil this function. His successor, Lothar III (1125–37), was the only emperor of the twelfth century to perform his duties as protector to the satisfaction of the papal curia. Lothar himself on the eve of his imperial coronation (1133) described the emperor's duties in the language traditionally used by the papacy. Since God had appointed him 'patron and defender of the holy Roman church', he was obliged 'to labour the more willingly for her liberation'.³³⁸ Cardinal Boso represented him as 'the most Christian emperor, fired with zeal for God and the Christian faith, like a Catholic advocate of the church'. The Monte Cassino chronicler applied to him the Gregorian language of *idoneitas*: Lothar was 'useful and suitable for the honour of the empire'.³³⁹ Lothar's successor, Conrad III (1138–52), was exhorted to play a similar role – Bernard of Clairvaux, for example, reminded him that the defence of the church was his duty as *advocatus*³⁴⁰ – but he was prevented from performing this duty by the civil war in Germany which continued for the greater part of his reign. (Conrad III was the first German king since the mid-tenth century who failed to receive imperial coronation in Rome.) Conrad's nephew and successor, Frederick I Barbarossa (1152–90), proved to be the opposite of the *advocatus*, *patronus* and *defensor* of the Roman church of whom the curia was in such great need. 'From the time of . . . Pope Adrian and from the inception of his [imperial] dignity [in 1155], he began, like a tyrant, to oppress and greatly to injure the holy Roman church'.³⁴¹ The

³³⁵ Chalandon (1907), pp. 121–3; Kehr (1934), pp. 51–2; Deér (1972), pp. 260–1.

³³⁶ Chalandon (1907), pp. 443–91; Robinson (1990), pp. 395–7, 515–16.

³³⁷ Alexander III, JL 10597: Boso, 'Vita Alexandri III', II, p. 401. See Ullmann (1970), pp. 121, 198, 217, 223.

³³⁸ Lothar III, *Encyclica*, *MGH Constitutiones* I, p. 167.

³³⁹ Boso, 'Vita Innocentii II' II, p. 383. *Chronica monasterii Casinensis* IV.87, p. 548.

³⁴⁰ Bernard, 'Epistola' 244 c.3. ³⁴¹ Alexander III, JL 10627–8, cols. 89BC, 91AB.

conflict of papacy and empire in the years 1159–77 forced the pope to seek help throughout Christendom: from the Sicilian king and the cities of northern and central Italy, fleetingly from the Byzantine empire and from the French church and kingdom.

This period of papal history, which ended in four decades of conflict or uneasy truce with the Staufen emperors Frederick I and Henry VI, had begun with the promise of peace between papacy and empire. The concordat of Worms (September 1122) ended what William of Malmesbury in 1125 called 'that chronic dispute concerning investiture between the kingship and the priesthood which had caused turmoil for more than fifty years'.³⁴² Writing in the midst of the later conflict of papacy and empire (perhaps in 1162) Gerhoch of Reichersberg recalled that happier time when 'after the great tempest . . . peace was made. Thus through God's grace the church, which since the time of Gregory VII had seemed split by the investiture dispute, was united'.³⁴³ From the papal point of view the concordat was an imperfect solution. As Calixtus II explained to his critics at the First Lateran Council (1123), it was a compromise which the papacy was compelled 'not to approve but to tolerate', 'in order to restore peace'.³⁴⁴ The papal privilege of 1122 was a temporary expedient, 'given for the sake of peace to [Henry V] alone and not to his successors', to be renegotiated with a future more satisfactory emperor.³⁴⁵

The two popes of the second quarter of the twelfth century who, as cardinals, had been responsible for negotiating the Concordat of Worms, Honorius II and Innocent II, seized opportunities to intervene in the affairs of the German church in ways unforeseen in the concordat. Honorius's legate approved the election of Norbert, abbot of Prémontré, to the archsee of Magdeburg, rejecting the claim of a royal kinsman.³⁴⁶ Innocent was ready to exploit the central ambiguity in the text of the concordat. The papal privilege permitted the emperor to grant the *regalia* (the proprietary and governmental rights attached to a bishopric) to the bishop elect before the latter was consecrated by his metropolitan. Did this mean that by withholding the *regalia* from a candidate, the emperor could veto his election? Alternatively, did the 'free consecration' conceded in the imperial privilege mean that the metropolitan could consecrate a bishop elect on whom the emperor had refused to confer the *regalia*?³⁴⁷ In 1132, adopting the latter interpretation, Innocent consecrated the archbishop elect of Trier, who had not received the *regalia*. His example was followed by

³⁴² William of Malmesbury, *De gestis regum Anglorum* v.435 (1, p. 780). See Schieffer (1981), p. 3 n. 7.

³⁴³ Gerhoch of Reichersberg, 'Commentarius aureus in psalmos', 33. See Classen (1960), p. 27 n. 5.

³⁴⁴ Gerhoch of Reichersberg, 'Libellus de ordine donorum Sancti Spiritus', p. 280. See Benson (1968), pp. 229–30; Wilks (1971), pp. 77–9; Classen (1973), pp. 413–22.

³⁴⁵ Otto of Freising, *Chronica* vii.16, p. 331.

³⁴⁶ Hauck (1952), pp. 126–33.

³⁴⁷ Concordat of Worms, *MGH Constitutiones* 1, pp. 159–60 (imperial privilege) 161 (papal privilege).

Archbishop Conrad of Salzburg in consecrating the bishop elect of Regensburg.³⁴⁸ It was presumably in response to these cases that Lothar III raised the question of his rights in episcopal elections on the occasion of his imperial coronation in June 1133. He obtained from Innocent (who depended on imperial help for the defeat of his rival in the papal schism) a privilege confirming 'the due and canonical customs', the last papal-imperial agreement on the subject of investiture.³⁴⁹

The papal privilege of 1133 removed the ambiguity in the Concordat of Worms which Innocent had exploited the previous year. The bishop or abbot elect was forbidden 'to dare to usurp or seize the *regalia* before requesting them from [Lothar] and performing to [him] what is rightfully owed to [him] in respect of them'.³⁵⁰ Hence the historian Otto of Freising, describing in 1156 the rights of the German crown in the case of a disputed episcopal election, could confidently ascribe a veto to the emperor. 'It belongs to the monarch's authority to appoint the bishop whom he wishes, on the advice of his magnates, and no elect is to be consecrated before he receives the *regalia* from his hand by the sceptre'.³⁵¹ Otto was describing the practice of the Staufien kings – his own half-brother, King Conrad III, and his nephew, Frederick I – who, insisting on the observance of all the customs conceded to the emperor in 1122, exacted from prelates the performance of homage, which the pious Lothar III had waived.³⁵² Their contemporary, the theologian Gerhoch of Reichersberg, continued to hope for a revision of the concordat in the sense desired by Calixtus II's critics at the First Lateran Council: 'we hope that in the near future that evil [of homage] may be removed from our midst'.³⁵³

Such hopes were frustrated by the firm lordship that Frederick Barbarossa achieved over the German church. Frederick indeed strove to impose the German customs on the bishops of his Italian kingdom in a notable extension of the imperial rights conceded by the concordat.³⁵⁴ By the end of the twelfth century it was the imperial, rather than the papal version of the Concordat of Worms that was generally accepted by German churchmen. Intervening in the disputed election of the archbishop of Trier in 1186, the truculent Urban III consecrated Folmar, the candidate opposed by Frederick I. It was a demonstration of papal authority over the German church intended to provoke confrontation with the emperor. The pope's action inspired reproofs from the German episcopate, who claimed that 'the most careful record of former times never mentions that this was done by any of your predecessors to any

³⁴⁸ Hauck (1952), pp. 149–52. ³⁴⁹ Innocent II, JL 7632, *MGH Constitutiones* 1, p. 168.

³⁵⁰ *Ibid.*, pp. 168–9. See Benson (1968), pp. 256–63.

³⁵¹ Otto of Freising, *Gesta Friderici imperatoris* 11.6, pp. 85–6. ³⁵² Classen (1973), p. 433.

³⁵³ Gerhoch, 'Libellus de ordine donorum Sancti Spiritus' p. 280.

³⁵⁴ Benson (1968), pp. 284–91; Classen (1973), pp. 436–7, 442–3.

of [the emperor's] predecessors'.³⁵⁵ Innocent II's attempt in 1132 to reinterpret the concordat was now forgotten. Urban III's successors prudently abandoned his support of Folmar and the resolution of the Trier dispute left the emperor firmly in control of the German church.³⁵⁶

The twelfth-century papacy continued to be preoccupied by a second question left unresolved at the end of the Investiture Contest: that of the lands of Countess Matilda of Tuscany. That faithful and energetic ally of the Gregorian papacy had willed her extensive allodial lands in Tuscany to St Peter. Such an inheritance, a second 'Patrimony of St Peter' in Tuscany, promised a great accession of power and prosperity to the papacy. On Matilda's death (1115), however, her kinsman, Emperor Henry V, seized these lands, claiming to be her heir, and the papacy was unable to gain possession of its inheritance.³⁵⁷ Early in the reign of Lothar III the interests of both empire and papacy were threatened when Lothar's rival, the anti-king Conrad of Staufien, attempted to seize the Matildine lands as a base for his war against Lothar.³⁵⁸ This common danger prompted Lothar and Innocent II to reach a settlement of their claims to the Tuscan inheritance. On 8 June 1133, two days after crowning Lothar emperor, Innocent invested him with the Matildine lands in return for the payment of an annual census of 100 pounds of silver, on condition that on the emperor's death the lands should revert to the Roman church. The fief was then regranted to Lothar's son-in-law, Henry the Proud, duke of Bavaria, who was required to perform homage and fealty to St Peter and Innocent.³⁵⁹ This settlement made an important contribution to the stability of papal finances in the mid-twelfth century.³⁶⁰

During the papal schism of 1159–77 and the war with Frederick Barbarossa the exiled pope once more lost control of the Matildine lands. After the defeat of the emperor by the papal allies, the Lombard cities, at the battle of Legnano (29 May 1176) the initial peace negotiations offered the prospect of the restoration of the prosperity of the mid-century. The imperial negotiators at Anagni (November 1176) conceded the restoration of the papal patrimony and the Matildine lands. Subsequently, however, in negotiating the peace of Venice (July 1177) the emperor was able to exploit the war-weariness of the pope and his allies and to concede far less than his representatives had promised at Anagni. In return for accepting Alexander's proposals for peace with the pope's allies, Frederick successfully demanded the revenues of the Matildine lands for

³⁵⁵ Archbishop Wichman of Magdeburg, letter to Urban III, *MGH Constitutiones* 1, p. 445. Cf. the letter of Archbishop Adalbert of Mainz and his suffragans, *ibid.*, p. 447. See Hauck (1952), pp. 319–21.

³⁵⁶ Zerbi (1955), pp. 22–8; Pfaff (1980), pp. 275–6.

³⁵⁷ Overmann (1895), pp. 143–4; Servatius (1979), pp. 100–4.

³⁵⁸ Bernhardt (1879), pp. 206–7, 481–5. ³⁵⁹ Innocent II, JL 7633, *MGH Constitutiones* 1, pp. 169–70.

³⁶⁰ Overmann (1895), p. 51; Pfaff (1927), pp. 4–5; Jordan (1933–4), p. 70.

fifteen years.³⁶¹ The peace of Venice left the question of the ownership of the Matildine lands unresolved, as did a further conference between Lucius III and Frederick I in Verona (1184). The pope rejected the emperor's preferred solution, which was that the papacy should renounce all claim to the inheritance in return for an annual payment to the pope of one tenth and to the cardinals of one ninth of all the imperial revenues from Italy.³⁶² Only at the end of the century in the will of Henry VI in 1197 (supposing this document to be authentic) did the papacy obtain the promise of the restoration of its Tuscan inheritance.³⁶³

The premature death of the formidable Emperor Henry VI (1197) removed a serious threat to the independence of the papacy and gave the pope an unprecedented freedom of action. For the past three-quarters of a century the papacy had sought to maintain its independence and to secure control of Rome and the Patrimony of St Peter by means of alliances. In the years 1122–56 the papacy saw in an alliance with the emperor the only safeguard against the encroachments of the Norman ruler of Sicily; while in the years 1156–97 alliance with the emperor's enemies, including the king of Sicily, was the sole means by which the pope could withstand the Staufien threat to the independence of the church. Unfortunately for the stability of the papal regime, the personnel of the curia had rarely been unanimous in adopting either of these strategies. The faction struggles that were so important a feature of the history of the twelfth-century college of cardinals seem to have been intimately linked with the difficult choices faced by the papacy in determining its political strategy.

The strategy of alliance with the emperor developed at a moment of transformation in the college of cardinals. In 1121, a year before concluding the Concordat of Worms, Calixtus II went to the fortress of Rocca Niceforo to negotiate with Roger II of Sicily, who had invaded the duchy of his cousin William of Apulia. While Roger prevaricated, the papal entourage was struck by an epidemic which killed a number of cardinals and almost killed the pope himself. It was this disaster that forced Calixtus to reconstruct the college by creating sixteen new cardinals in the years 1121–3. Since those of his appointees whose background is known were Frenchmen and northern Italians, historians have suggested that his purpose was to counter the influence of the Romans and southern Italians who hitherto had formed the majority in the college.³⁶⁴

³⁶¹ Pact of Anagni c.3, 6, *MGH Constitutiones* 1, p. 350. See Kehr (1888); Leyser (1982), pp. 259–61.

³⁶² Frederick I, letter to Lucius III, *MGH Constitutiones* 1, pp. 420–1. See Pfaff (1981), pp. 164–5.

³⁶³ Henry VI, 'Testament', *MGH Constitutiones* 1, pp. 530–1. This document survives as a quotation in the *Gesta Innocentii III*. For a negative assessment of its authenticity see Pfaff (1964).

³⁶⁴ Klewitz (1957), pp. 209–59; Schmale (1961b), pp. 31–57, 79–80; Deér (1972), pp. 172–4; Hüls (1977), pp. 142–3, 162, 164, 193, 220, 236, 238.

A similar interpretation has been suggested for the appointments of Calixtus's successor, Honorius II.³⁶⁵ The most important of Calixtus's appointees was Haimeric, cardinal deacon of S. Maria Nuova, who held the office of chancellor from 1123 to 1141, during which time he became the dominant politician in the curia. Haimeric has been identified as the leader of a faction in the college, composed mainly of the 'new' cardinals appointed after 1121. It was he who on the death of Calixtus masterminded the election of Cardinal Bishop Lambert of Ostia as Honorius II (16 December 1124). This was achieved by means of the armed might of the Frangipane family, after other members of the college had already elected Cardinal Theobald of S. Anastasia and clad him in the purple mantle of the pope.³⁶⁶

The disputed papal election of 1130 was similarly the result of a bold initiative of Haimeric. Shortly before the death of Honorius II, the cardinals, fearing unrest in the city, entrusted the election of a successor to an electoral commission of eight cardinals, including Haimeric. Immediately after Honorius's death and hurried burial, Haimeric hastened the election of his own candidate, Gregory, cardinal deacon of S. Angelo, a member of the electoral commission, despite the absence of two other members of the commission. Gregory was enthroned as Innocent II in the early hours of 14 February. When the majority of the cardinals heard of this, they held a new election, considering Haimeric's actions to be illegal. Their pope, Anacletus II, was Peter Pierleone, cardinal priest of S. Maria in Trastevere, a member of the Pierleone family, the rivals of Haimeric's allies, the Frangipani.³⁶⁷ The power of the Pierleoni enabled Anacletus's supporters to enthrone their pope, secure control of the city and expel Innocent II and his adherents. By midsummer, however, the exiled Innocent had been acknowledged as pope by many influential reforming circles, notably by Bernard of Clairvaux and the Cistercians. Before the end of 1130 he had been acknowledged by both the French and German kings and their churches. 'Although he was expelled from the city, he is supported by the world', wrote Bernard, his principal apologist. 'Do not all the princes know that he is truly the elect of God?'³⁶⁸ Nevertheless, Anacletus II remained in control of Rome until his death (1138) because he had the support of Roger II of Sicily. Since the days of Count Roger I of Sicily the Pierleoni had enjoyed close links with the Sicilian Norman dynasty. That alliance now culminated in the papal privilege of 27 September 1130 which elevated Count Roger II to the kingship of Sicily, Apulia and Calabria. The papal privilege creating the new

³⁶⁵ Schmale (1961b), pp. 52–6; Zenker (1964), pp. 83–4, 157; Hüls (1977), pp. 96–7, 239, 243.

³⁶⁶ Klewitz (1957), pp. 243–7; Schmale (1961b), pp. 120–3.

³⁶⁷ Schmale (1961b), pp. 145–61; Pellegrini (1968), pp. 265–302; Stroll (1987), pp. 82–90.

³⁶⁸ Bernard, 'Epistola' 124. See Graboïs (1981); Reuter (1983); Stroll (1987), pp. 91–101, 169–78.

kingdom was subscribed by nine members of the Pierleone family and by only one other witness.³⁶⁹

Historians have offered conflicting interpretations of the schism of 1130 and the division in the college of cardinals which produced it. The rivalry of the Frangipani and the Pierleoni for control of Rome, the determination of Haimeric to dominate the papal curia, the struggle of two factions of cardinals to determine the reforming aims of the papacy have variously been detected behind the events of February 1130.³⁷⁰ In particular Haimeric and Peter Pierleone have been identified as the leaders of parties in the college of cardinals with totally opposed views of papal policy. Haimeric acted in 1130, as he had previously acted in 1124, to ensure the continuity of the strategy of Calixtus by ensuring the election of candidates sympathetic to that strategy. The fact that Innocent II was the candidate of the more recent appointees to the college and his rival was the choice of the older cardinals suggests that Peter Pierleone represented the conservative interest in the college.³⁷¹ What then were the differences in policy that divided them? There is a clue, first, in the identity of Haimeric's papal candidates in 1124 and 1130 – two cardinals responsible for negotiating the settlement of the investiture question in 1122 – and, secondly, in the opposition of hard-line Gregorians to that settlement in the First Lateran Council in 1123. The division in the college in 1130 may have originated in Calixtus II's recruitment of new cardinals as a counterweight to those veterans who resented the abandonment of the Gregorian reforming and political strategy. One central aspect of that strategy was the friendship with the Normans of southern Italy which was increasingly threatened during the 1120s by the aggression of Roger II of Sicily. Haimeric may well have wished to terminate the Norman alliance, which Peter Pierleone would certainly have wished to continue.³⁷²

Another significant clue may be the friendship of Haimeric with Bernard of Clairvaux. The most debated interpretation of the schism attributes the division in the college to the impact of the 'new spirituality' of *c.* 1100: that is, the spirituality of the new orders of the Cistercians, the regular canons and the Premonstratensians. According to this view the Innocentine supporters were predominantly 'new' cardinals from France and northern Italy, the regions most influenced by this 'new spirituality', while the Anacletans were 'old' cardinals mainly from Rome and southern Italy, associated with the older Benedictine

³⁶⁹ Deér (1959), pp. 121–2, and (1972), pp. 212–14.

³⁷⁰ For summaries of this debate see Schmale (1961b), pp. 1–6, 29–31; Palumbo (1963); Maleczek (1981), pp. 28–30; Stroll (1987), pp. 1–9, 179–81.

³⁷¹ Klewitz (1957), pp. 211, 213–21; Schmale (1961b), pp. 34–79; Hüls (1977), pp. 150–2, 186–7, 206–7, 221–2, 227.

³⁷² Chodorow (1972), pp. 30–40.

monasticism and with Gregorian ideas.³⁷³ More recent analysis of the college on the eve of the schism, however, suggests that there were no homogeneous parties among the cardinals until Haimeric's actions during the night of 13–14 February 1130 polarized opinion, creating an open division between those who supported and those who deplored the chancellor's conduct. Haimeric and his closest adherents may have had a clear-cut purpose, either to perpetuate the chancellor's own influence in the curia or to continue the policies of the popes whom he had served in the years 1123–30. But there was no similar clarity of purpose on the part of those cardinals who elected Anacletus II in reaction to the election of Haimeric's candidate. The electors of Anacletus were a cluster of different interest groups, including veteran Gregorians opposed to the Concordat of Worms, partisans of the Norman alliance and those cardinals who simply resented the chancellor's dominance.

The sharp contrasts in strategy that have been detected between the two rival curias after 1130 may well have been accidental rather than a reflection of fundamental policy differences. After the double election the two popes, left with half a college of cardinals each, made new appointments which were markedly different in character. Those appointees of Anacletus who can be identified were subdeacons of the Roman church, while Innocent's appointees were in many cases drawn from northern Italy and France. While this might suggest a 'conservative' recruitment policy on the part of Anacletus, an 'innovatory' policy on the part of Innocent, it is more probable that the appointments of both popes were governed by necessity. The lesser Roman clergy chose to remain in Rome with Anacletus, who was thus able to draw on their expertise in his curia. Innocent, forced to look elsewhere for recruits, found them in the areas in which he spent most of his exile.³⁷⁴ Anacletus's pontificate was devoted to furthering the interests of the papacy in southern Italy and to promoting the papal alliance with the Normans. He pursued a 'Gregorian' policy, therefore; but this may have been the result not so much of his conservatism as of his dependence on Roger II of Sicily. Innocent II's strategy was determined by the friendship network of proponents of the 'new spirituality' – Bernard of Clairvaux, Peter the Venerable of Cluny, Archbishop Norbert of Magdeburg, Archbishop Walter of Ravenna, Gerhoch of Reichersberg – to whose influence he owed the general recognition that he eventually received everywhere outside Rome and the dominions of Roger II.³⁷⁵ This may mean that Innocent himself was a proponent of the 'new spirituality' or it may mean that the exiled pope sought help wherever he could find it and that Bernard's

³⁷³ Klewitz (1957), pp. 210–11, 255; Schmale (1961b), pp. 43, 56–7, 124–44, 272–9. See the criticisms of Tellenbach (1963); Classen (1968); Maleczek (1981).

³⁷⁴ Elze (1950), p. 166; Zenker (1964), p. 202; Tillmann (1972), pp. 336–44; Maleczek (1981), p. 57.

³⁷⁵ Klewitz (1957), pp. 210–11, 254–5; Schmale (1961b), pp. 56–7, 77–80, 253–79.

friendship network contained the most effective propagandists in western Christendom.³⁷⁶

The political strategy of Innocent II's reconstructed papal curia centred on cooperation with the emperor. Lothar III of Germany, whom Innocent had crowned emperor in the Lateran basilica in Rome on 4 June 1133, was revered in Innocentine circles as 'a God-fearing emperor, a vigorous warlord, distinguished in arms, prudent in counsel, terrible to the enemies of God, the friend of justice, the enemy of injustice'.³⁷⁷ He was long remembered in the papal curia as the model prince whose Italian expedition of 1136–7 had defeated the pope's enemy, Roger II, and driven him from the Italian mainland.³⁷⁸ What was carefully concealed in the papal version of these events was that this triumph had immediately exposed a sharp difference of opinion between pope and emperor about their respective rights over the duchy of Apulia. The papal view was that Lothar had intervened as the advocate of the Roman church to vindicate the territorial rights of St Peter. The imperial view was that 'Apulia and Sicily belonged to [Lothar's] imperial jurisdiction'.³⁷⁹ Innocent wished to invest Count Rainulf of Alife (Roger II's ambitious vassal) with Apulia as a demonstration of the favourite papal political idea of *idoneitas* rather than hereditary right as the appropriate qualification for secular office. Lothar, however, was determined to invest the new duke of Apulia in order to demonstrate his jurisdiction over the duchy. 'As they were both travelling and neither party had access to documents or proofs, this disagreement could not be settled... So they jointly invested Count Rainulf with the duchy of Apulia, the pope holding the standard at the top, the emperor holding it below'.³⁸⁰ Despite this quarrel, however, Lothar was indispensable to Innocent's war against Roger II. When after the emperor's death (1137) Innocent himself led a coalition of Roger's enemies against the king of Sicily, he was defeated at Galluccio (22 July 1139) and taken prisoner. The victor of the papal schism was forced to issue a privilege containing all the concessions that Roger's ally, Anacletus II, had made nine years before.³⁸¹

The new German king, Conrad III, detained in Germany by his war against the Welfs, was incapable of imitating his predecessor's example. It was in vain that Bernard of Clairvaux exhorted him to perform the role of 'the advocate of the church'.³⁸² Meanwhile during the fifteen years that followed the defeat of

³⁷⁶ Reuter (1983); Stroll (1987), pp. 169–78.

³⁷⁷ 'Vita Norberti archiepiscopi Magdeburgensis' c.21, p. 702.

³⁷⁸ See, for example, Innocent III, *Registrum de negotio imperii* c.32, *PL* 216, col. 1035C.

³⁷⁹ Romuald of Salerno, 'Annales' 1136, p. 421; cf. p. 422. See Deér (1972), pp. 42–3.

³⁸⁰ Romuald, 'Annales' 1137, p. 422.

³⁸¹ Innocent II, *JL* 8043, cols. 478C–479D. See Deér (1972), pp. 224–30.

³⁸² Bernard, 'Epistola' 244 c.3. Cf. *ibid.* 183.

Galluccio the papal curia was unable to resist Roger II's encroachments on the southern and eastern parts of the Patrimony of St Peter. The papal misfortunes were compounded by the Roman revolution of 1143, which created a commune hostile to the papal government. It had been insecurity in Rome which had prompted the eleventh-century papacy to negotiate a Norman alliance. The creation of the Roman commune seemed likely to compel Innocent II's successors to seek the protection of the king of Sicily. It proved impossible, however, to negotiate a permanent peace with Roger II during the 1140s 'because of the opposition of the cardinals'.³⁸³ The antagonism of the 1130s lived on in the college. Celestine II (1143–4), Lucius II (1144–5) and Anastasius IV (1153–4) had been among Innocent's electors and Haimeric's supporters in 1130. Lucius II indeed, the former Gerard, cardinal priest of S. Croce in Gerusalemme, had served both Honorius II and Innocent II as their expert on German affairs and had been the architect of the alliance with Lothar III, undertaking six legations to Germany between 1125 and 1136.³⁸⁴ When he became pope, Lucius 'sent a humble letter to King Conrad . . . summoning him to the defence of the Roman church'.³⁸⁵ Eugenius III (1145–53) was the only pope of the second quarter of the twelfth century who had not previously been a member of Cardinal Haimeric's party; but the influence of his mentor, Bernard of Clairvaux, and probably also the strength of anti-Norman sentiment in the curia perpetuated the desire for an imperial alliance during his pontificate. Eugenius achieved this objective during the first year of the reign of the new German king, Frederick I. According to the treaty of Constance (23 March 1153) Frederick undertook, in return for receiving the imperial crown, to restore the temporal power of St Peter, to protect the *honor* of the papacy and to make no peace with the Romans or the king of Sicily without the pope's approval. Eugenius undertook to increase the *honor* of the empire and to excommunicate the king's enemies.³⁸⁶

It was in the pontificate of Adrian IV (1154–9) that the imperial alliance of the papacy was finally abandoned. Initially the new pope adopted the strategy of his predecessors, being hard pressed both by the Romans and by the new king of Sicily, William I. Adrian renewed the treaty of Constance and performed the imperial coronation of Frederick Barbarossa in Rome (June 1155). As a gesture of goodwill towards the pope Frederick captured the leader of the Roman commune, Arnold of Brescia, the reforming preacher and critic of the papacy, and delivered him to the Roman prefect for execution. The emperor

³⁸³ Romuald of Salerno, 'Annales' 1143, p. 424.

³⁸⁴ Bachmann (1913), pp. 10–49.

³⁸⁵ Otto of Freising, *Chronica* vii.31, p. 358.

³⁸⁶ Treaty of Constance, *MGH Constitutiones* 1, pp. 201–3. See Maccarrone (1959), pp. 50–1, 79–80; Rassow (1961), pp. 60–5; Munz (1969), pp. 64–5; Engels (1987).

then returned to Germany without taking any further action against the pope's enemies in Rome and the kingdom of Sicily.³⁸⁷ The breach between pope and emperor was caused partly by Frederick's failure to fulfil the terms of the treaty of Constance in 1155 and partly by Adrian's measures to defend himself, which ultimately involved him in breaking the terms of the treaty. The pope allied himself with prominent Norman rebels against King William I of Sicily, who were in turn supported by the forces of the Byzantine emperor, Manuel I Komnenos. The beleaguered William I offered generous terms to the pope in return for peace: the performance of homage and fealty, reparation for the recent encroachments on the papal patrimony, help against the Romans, freedom from royal control for the Sicilian church. According to Adrian's biographer, Cardinal Boso, the pope was in favour of accepting this offer, but 'the greater part of the brethren' opposed him.³⁸⁸ The pope was obliged, therefore, to reject the Sicilian offer and he made war on William, only to be defeated and forced to make peace on the king's terms. The Concordat of Benevento (18 June 1156) settled the territorial disputes between the pope and the Sicilian king entirely to the latter's advantage.³⁸⁹ Adrian stumbled towards a new papal strategy against the will of a majority of his cardinals, who still clung to the treaty of Constance. Cardinal Boso claimed that the pope 'sent the greater part of his brethren into the Campagna', so that the concordat was negotiated by the minority among the cardinals who shared his idea of the necessity of a Sicilian alliance.³⁹⁰

This reversal of papal strategy in June 1156 contributed directly to the disputed papal election of 4–7 September 1159, when Alexander III and 'Victor IV' were elected by rival groups of cardinals. The electors of 'Victor IV' regarded both the concordat and the election of Alexander as the work of a 'Sicilian party' in the college, led by Adrian IV's chancellor, Cardinal Roland of S. Marco (the future Alexander III).

From the time when friendship was established in Benevento between the lord Pope Adrian and William of Sicily, contrary to the honour of God's church and of the empire, great division and discord have arisen (not without cause) among the cardinals. We... in no way consented to the friendship, ... but others, blinded by money and many promises and firmly bound to the Sicilian, wickedly defended the treaty... and attracted very many others to share their error.³⁹¹

³⁸⁷ Ullmann (1955), pp. 239–42; Munz (1969), pp. 78–88.

³⁸⁸ Boso, 'Vita Hadriani IV', II, p. 394. See Rowe (1969), pp. 9–12.

³⁸⁹ Concordat of Benevento, *MGH Constitutiones* I, pp. 588–91. See Clementi (1968), pp. 192–7; Deér (1972), pp. 247–53.

³⁹⁰ Boso, 'Vita Hadriani IV', II, p. 395.

³⁹¹ Letter of the cardinals of 'Victor IV' in Rahewin, *Gesta Friderici imperatoris* IV.62, p. 241.

According to an imperial manifesto of 1160,

during the lifetime of Pope Adrian, the chancellor Roland and certain cardinals . . . conspired with William the Sicilian . . . and with other enemies of the empire, the men of Milan, Brescia and Piacenza and lest [their] evil faction should perhaps vanish because of the death of Pope Adrian, they imposed an oath on each other that on the death of the pope, no other should replace him except a member of their conspiracy.³⁹²

The manifesto alludes here to the meeting in Anagni (July 1159) of Adrian IV, his chancellor and twelve other cardinals with envoys of the Lombard cities which were currently resisting Frederick's imposition of imperial control.³⁹³ The influence of this 'Sicilian party' in the college was countered by a group of imperial supporters. Their leaders were the two curial experts in German affairs, Octavian, cardinal priest of S. Cecilia, and his kinsman, Guido of Crema, cardinal priest of S. Maria in Trastevere, both destined to become in turn the antipopes of Frederick Barbarossa: 'Victor IV' (1159–64) and 'Paschal III' (1164–8).³⁹⁴ The divisions among the cardinals were intensified by the 'incident' at the imperial assembly of Besançon (October 1157), provoked by the papal letter which appeared to refer to the imperial dignity as a 'fief' (*beneficium*) 'conferred' by the pope. While the 'Sicilian party' represented the incident as evidence of imperial hostility towards the Roman church, their opponents in the college 'favoured the party of the emperor and blamed the negligence and inexperience' of the papal legates at the assembly of Besançon, the chancellor Cardinal Roland and Bernard, cardinal priest of S. Clemente.³⁹⁵

In the election that followed the death of Adrian IV (1 September 1159) the thirteen cardinals of the 'Sicilian party' of 1156 seem to have attracted ten more cardinals to their side. Their opponent, Cardinal Octavian (Victor IV), was supported initially by nine cardinals, but his following rapidly diminished to five. Octavian's electors, supported by an armed band, resorted to violence to prevent the installation of Roland-Alexander III as pope.³⁹⁶ The presence of Frederick Barbarossa's envoy, Otto of Wittelsbach, in Rome ensured the loyalty of the city to 'Victor IV' and forced Alexander into exile.³⁹⁷ Frederick's conciliar solution to the papal schism – the council of Pavia (5–11 February 1160), which recognized the title of 'Victor IV', having heard no detailed defence of

³⁹² Rahewin, *Gesta Friderici imperatoris* IV. 79, p. 263.

³⁹³ The thirteen cardinals in Anagni are identified in two papal privileges: Adrian IV, JL 10577, 10579, cols. 1636, 1637. See Madertoner (1978), pp. 37–47.

³⁹⁴ Zenker (1964), pp. 56–9, 66–70; Madertoner (1978), pp. 90–108, III–14.

³⁹⁵ Rahewin, *Gesta Friderici imperatoris* III.16, p. 147. For the 'incident' at Besançon see above pp. 322–3 and nn. 26–7.

³⁹⁶ Madertoner (1978), pp. 48–52, 120–8. ³⁹⁷ *Ibid.*, pp. 131–41.

Alexander's claim – persuaded no one outside the imperial territories.³⁹⁸ Four months after the decision in favour of the antipope Louis VII of France and Henry II of England formally recognized Alexander III at a conference in Beauvais.³⁹⁹ The widespread acceptance of Alexander throughout Christendom left the emperor with a formidable diplomatic and military task: to detach the kings of France and England from the Alexandrine obedience and to defeat the pope's allies in Italy, the Lombard cities and the king of Sicily. For eighteen years Frederick tried in vain to achieve these aims.

Meanwhile Alexander III, in exile and lacking the conventional resources of the papacy, was acutely aware that his survival depended on the victory of the emperor's enemies, who must at all costs be kept faithful to the papal cause. Hence during the schism of 1159–77 the most important institution of papal government was the papal legation. The two circumstances of a wandering papal curia and a volatile political situation increasingly placed detailed policy-making in the hands of cardinal legates. Perhaps the most important contribution to the survival of the Alexandrine cause was that of the five legates who negotiated and maintained the alliance between the curia and the Lombard League, founded to destroy the system of government introduced by Frederick in 1158. Cardinal William of S. Pietro in Vincoli, the cardinal deacons Odo of S. Nicola in Carcere and Manfred of S. Giorgio in Velabro, Archbishop Galdin of Milan and Hildebrand, cardinal deacon of S. Eustachio, were commissioned 'to strengthen and preserve the unity' of the League and keep open the lines of communication between the curia and the Lombard cities.⁴⁰⁰

The end of the conflict of 1159–77, wrote Cardinal Boso, witnessed 'Emperor Frederick prostrate at the feet of Pope Alexander and the evil of schism entirely extinguished by the divine power'.⁴⁰¹ The peace of Venice indeed obliged Frederick to break the oath which he had sworn at the imperial assembly of Würzburg (1165) never to acknowledge Alexander as pope.⁴⁰² He remained, however, master of the German church and no German prelate was disciplined for having sided with the emperor during the schism. Moreover, the conflict had bankrupted the papal curia. It was poverty and war-weariness that compelled the papacy to conclude a peace that left unsettled the important questions of papal lordship over the Patrimony of St Peter and the Matildine lands. The preservation of the hard-won peace with the empire was the central

³⁹⁸ Council of Pavia, *MGH Constitutiones* 1, pp. 260–3. See Maderton (1978), pp. 142–82.

³⁹⁹ Barlow (1936); Cheney (1969), pp. 474–97.

⁴⁰⁰ Alexander III, JL 12737, col. 1082B. See Dunken (1931), pp. 70–1, 79–80, 83–4, 110–11, 166, 168–71; Pacaut (1955), pp. 832–5.

⁴⁰¹ Boso, 'Vita Alexandri III' 11, p. 445.

⁴⁰² Peace of Venice, *MGH Constitutiones* 1, pp. 360–4. The oath at the assembly of Würzburg: *MGH Constitutiones* 1, pp. 314–21. See Hauck (1952), pp. 276–82.

preoccupation of the last years of Alexander III's pontificate and the policy of conciliating Frederick I survived his death (1181). Of Alexander's five successors in the years 1181–98 only one had not been a member of the Alexandrine college, that closely knit body of advisers on whom (according to Cardinal Boso) Alexander had so much depended. The exception was Urban III (1185–7), Hubert Crivelli, formerly archbishop of his native Milan. Urban III was a bitter enemy of the emperor and his brief pontificate witnessed a renewal of the conflict of the papacy with Frederick Barbarossa. Urban attempted to revive the Lombard League and strove, by raising the issue of the freedom of the German church, to sow dissension among the ecclesiastical princes in the German kingdom.⁴⁰³

This bellicose stand for the freedom of the church by a pope who during the schism had been a member of the circle of the exiled Archbishop Thomas Becket of Canterbury was in marked contrast to the strategy of his predecessor and his successors. Lucius III (1181–5) was a former member of the 'Sicilian party' and, as Cardinal Hubald of Ostia, the most influential figure in the Alexandrine curia.⁴⁰⁴ At the conference of Verona (1184) he attempted to settle with the emperor all the questions left unresolved in 1177, succeeding in agreeing at least on the necessity of a new crusade and on new measures against the spread of heresy.⁴⁰⁵ Lucius had no choice but to be conciliatory towards Frederick Barbarossa. Exiled from Rome by yet another dispute between the curia and the senate, he found himself observing the dismantling of the alliances which had achieved the Alexandrine victory. The emperor negotiated in Constance a permanent peace with the Lombard cities (1183) and arranged a marriage alliance between his son, Henry VI, and the Sicilian princess Constance, daughter of Roger II and aunt of William II.⁴⁰⁶ The successor of the aggressive Urban III was Gregory VIII (1187), the former chancellor of Alexander III with the reputation of being well-disposed towards Frederick.⁴⁰⁷ His election immediately brought an end to the conflict that Urban III had provoked with the emperor. The aims that Gregory VIII pursued during his short pontificate were the reform of the church and the launching of a crusade and for both of these peace with the empire was the prerequisite. When Gregory's crusading plans were realized by his successor, Clement III, Frederick Barbarossa was the first monarch to pledge his participation in the Third Crusade. The emperor took the cross in 'the diet of Christ' (*curia Christi*) which he summoned to

⁴⁰³ Wenck (1926), pp. 425–7; Hauck (1952), pp. 319–22; Pfaff (1981), pp. 175–6.

⁴⁰⁴ Zenker (1964), pp. 22–5, 153; Pfaff (1981), pp. 173–4.

⁴⁰⁵ Foreville and Rousset de Pina (1953), pp. 191–2; Pfaff (1981), pp. 164–5.

⁴⁰⁶ Peace of Constance, *MGH Constitutiones*, 1, pp. 408–18. On the papacy and the marriage of Henry VI and Constance see Baaken (1972).

⁴⁰⁷ Robert of Auxerre, 'Chronicon', p. 252; Gervase of Canterbury, *Chronica* 1187, p. 388.

Mainz (27 March 1188), together with the papal legate and official crusading preacher, Cardinal Henry of Albano.⁴⁰⁸

The pontificate of Clement III (1187–91) was a period of momentous change in the curia and in the political situation of the papacy. Clement concluded the treaty with the Roman senate (31 May 1188), which restored papal lordship over Rome after forty-five years of intermittent conflict with the commune.⁴⁰⁹ Between March 1188 and October 1190 he appointed approximately thirty cardinals, the majority of whom were connected with the great Roman families.⁴¹⁰ It was during this period of radical change in the character of the college that the curia was thrown into confusion by the death of the papal vassal, King William II of Sicily (18 November 1189). The premature death of the childless king threatened the papacy with the succession of his aunt Constance, wife of Henry VI, who in June 1190 was to succeed his father to the German throne. For the rest of the century the papal curia was preoccupied with the problem of ‘the union of the kingdom with the empire’ and with plans to prevent the kingdom of Sicily from falling into the hands of Henry VI.⁴¹¹ The cardinals, however, did not approach this problem in a spirit of unity. Events were to demonstrate that Clement III’s enlargement of the college had introduced cardinals with attitudes towards the Sicilian succession and towards Henry VI as sharply divided as those of the 1120s and 1150s. Not only had he, for example, recruited Peter, cardinal priest of S. Cecilia, a prominent supporter of Henry VI. He had also appointed Albinus, cardinal bishop of Albano, who was the close friend of Tancred, count of Lecce, the illegitimate cousin of William II, who was elected as their king by Sicilians rebelling against Queen Constance.⁴¹²

These divisions seem to be reflected in the constantly shifting papal policy of both Clement III and his successor, Celestine III (1191–7). Clement was alleged to have recognized the claim to the Sicilian throne of Tancred of Lecce in preference to that of Constance;⁴¹³ but he also promised to crown Henry VI emperor and received him with honour when he entered Italy.⁴¹⁴ Celestine III performed the imperial coronation promised by his predecessor (15 April 1191); but he also recognized Tancred as king of Sicily (spring 1192). (The decision to recognize Tancred was taken when Cardinal Peter of S. Cecilia and other supporters of the emperor were absent from the curia.)⁴¹⁵ Celestine gave support to princes rebelling against Henry VI in Germany;⁴¹⁶ but he failed to adopt strong measures against the emperor in the case of King Richard I of England

⁴⁰⁸ Friedländer (1928), p. 39; Congar (1958), pp. 49–50.

⁴⁰⁹ *Liber censuum*, I, pp. 373–4. See above p. 366. ⁴¹⁰ See above p. 364 and n. 316.

⁴¹¹ See above p. 368. ⁴¹² Friedländer (1928), pp. 119–23; Pfaff (1974a), p. 360.

⁴¹³ Richard of S. Germano, ‘Chronica regni Siciliae’ 1190, p. 324; Arnold of Lübeck, ‘Chronica’ v.5, p. 182.

⁴¹⁴ Pfaff (1980), p. 278. ⁴¹⁵ Pfaff (1966), pp. 342–4. ⁴¹⁶ Zerbi (1955), pp. 98–9.

(spring 1193). Henry VI had invited excommunication by holding Richard to ransom, although the latter's status as a crusader placed him under the papacy's special protection. When the pope debated this case with the cardinals, however, the majority – consisting of imperial supporters and moderates fearing an escalation of the quarrel with the emperor – opposed excommunication.⁴¹⁷ This paralysis of the curia came to an end with the sudden death of Henry VI (28 September 1197). The flurry of purposeful activity in the last three months of Celestine III's pontificate revealed that the imperial sympathizers had lost their influence. The opponents of the late emperor now enjoyed the support of a majority in the college in their determination to exploit the opportunities of the interregnum.⁴¹⁸ At the moment of Celestine's death (8 January 1198) the papacy unexpectedly enjoyed a political situation more favourable than at any moment in the twelfth century: a situation that was the fortunate inheritance of Innocent III.

⁴¹⁷ Pfaff (1966), pp. 347–50; Gillingham (1978), pp. 217–40. See also above p. 346.

⁴¹⁸ Wenck (1926), p. 464; Pfaff (1974b).

ABBREVIATIONS

<i>AHP</i>	<i>Archivum Historiae Pontificiae</i>
<i>AHR</i>	<i>American Historical Review</i>
<i>Annales ESC</i>	<i>Annales: Economies, Sociétés, Civilisations</i>
<i>ANS</i>	<i>Anglo-Norman Studies</i>
<i>BEC</i>	<i>Bibliothèque de l'Ecole des Chartes</i>
<i>BF</i>	<i>Byzantische Forschungen</i>
<i>BHL</i>	<i>Bibliotheca Hagiographica Latina</i>
<i>BIHR</i>	<i>Bulletin of the Institute of Historical Research</i>
<i>BISI</i>	<i>Bullettino dell'Istituto Storico Italiano per il Medio Evo e Archivio Muratoriano</i>
<i>BMGS</i>	<i>Byzantine and Modern Greek Studies</i>
<i>BS</i>	<i>Byzantinoslavica</i>
<i>BSOAS</i>	<i>Bulletin of the School of Oriental and African Studies</i>
<i>BZ</i>	<i>Byzantinische Zeitschrift</i>
<i>CCCM</i>	<i>Corpus Christianorum, Continuatio Mediaevalis</i>
<i>CCM</i>	<i>Cahiers de Civilisation Médiévale</i>
<i>COD</i>	<i>Conciliarum oecumenicorum decreta</i> , ed. J. Alberigo, J. A. Dossetti <i>et al.</i> , 3rd edn, Bologna (1973)
<i>DA</i>	<i>Deutsches Archiv für Erforschung des Mittelalters</i>
<i>DOP</i>	<i>Dumbarton Oaks Papers</i>
<i>EEBS</i>	<i>Epeteris Etaireias Vizantinon Spoudon</i>
<i>EEMCA</i>	<i>Estudios de Edad Media de la Corona de Aragón</i>
<i>EHR</i>	<i>English Historical Review</i>
<i>FmaSt</i>	<i>Frühmittelalterliche Studien</i>
<i>FSI</i>	<i>Fonti per la Storia d'Italia</i> , ed. Istituto Storico Italiano, 118 vols. so far, Rome (1887–)
<i>HZ</i>	<i>Historische Zeitschrift</i>
<i>JEH</i>	<i>Journal of Ecclesiastical History</i>

JL	<i>Regesta pontificum Romanorum ab condita ecclesia ad annum post Christum natum MCXCVIII</i> , ed. P. Jaffé, 2nd edn, rev. ed. S. Loewenfeld, F. Kaltenbrunner and P. Ewald, 2 vols., Leipzig (1885–8)
JMH	<i>Journal of Medieval History</i>
JöB	<i>Jahrbuch des österreichischen Byzantinistik</i>
JRAS	<i>Journal of the Royal Asiatic Society</i>
MA	<i>Le Moyen Age</i>
Mansi	<i>Sacrorum conciliorum nova et amplissima collectio</i> , ed. G. D. Mansi, 55 vols., Venice and Florence (1759–98)
MGH	<i>Monumenta Germaniae Historica</i> , ed. G. H. Pertz <i>et al.</i> , Hanover, Weimar, Stuttgart and Cologne (1826–)
Constitutiones	<i>Constitutiones et acta publica imperatorum et regum</i> , 11 vols. so far (1893–)
Diplomata	<i>Diplomata regum et imperatorum Germaniae</i> , 19 vols. so far (1879–)
Epistolae	<i>Die Briefe des deutschen Kaiserzeit</i> , 8 vols. so far (1949–)
Epp. sel.	<i>Epistolae selectae</i> , 5 vols. so far (1916–)
Libelli	<i>Libelli de lite imperatorum et pontificum saeculis XI. et XII. conscripti</i> , 3 vols. (1891–7)
S	<i>Scriptores</i> , 38 vols. so far (1826–)
Schriften	<i>Schriften der Monumenta Germaniae Historica</i> , 51 vols. so far (1938–)
SRG	<i>Scriptores rerum Germanicarum in usum scholarum separatim editi</i> , 75 vols. so far (1871–)
SRG NS	<i>Scriptores rerum Germanicarum. Nova series</i> , 18 vols. so far (1922–)
MIÖG	<i>Mitteilungen des Instituts für österreichische Geschichtsforschung</i>
NA	<i>Neues Archiv</i>
NCMH	<i>The New Cambridge Medieval History</i>
OCP	<i>Orientalia Christiana Periodica</i>
PaP	<i>Past and Present</i>
PBA	<i>Proceedings of the British Academy</i>
PL	<i>Patrologiae cursus completus, Series Latina</i> , comp. J. P. Migne, 221 vols., Paris (1844–64)
QFIAB	<i>Quellen und Forschungen aus italienischen Archiven und Bibliotheken</i>
RBén	<i>Revue Bénédictine</i>
REB	<i>Revue des Etudes Byzantines</i>
RES-EE	<i>Revue des Etudes Sud-est Européennes</i>

<i>RHC Occ.</i>	<i>Recueil des historiens des croisades. Historiens occidentaux</i> , ed. Académie des Inscriptions et Belles-Lettres, 5 vols., Paris (1844–95)
<i>RHE</i>	<i>Revue d'Histoire Ecclésiastique</i>
<i>RHGF</i>	<i>Recueil des historiens des Gaules et de la France</i> , ed. M. Bouquet and M.-J.-J. Brial, 24 vols., Paris (1738–1904)
<i>RIS NS</i>	<i>Rerum Italicarum Scriptores</i> , 2nd edn, ed. G. Carducci <i>et. al.</i> , 34 vols. so far, Città di Castello and Bologna (1900–)
<i>RS</i>	<i>Rerum Britannicarum Medii Aevi Scriptores</i> , publ. under the direction of the Master of the Rolls, 99 vols., London (1858–96)
<i>SG</i>	<i>Studi Gregoriani</i>
<i>TM</i>	<i>Travaux et Mémoires</i>
<i>TRHS</i>	<i>Transactions of the Royal Historical Society</i>
<i>VV</i>	<i>Vizantiniskij Verimenik</i>
<i>ZDPV</i>	<i>Zeitschrift des Deutschen Palästina-Vereins</i>
<i>ZRG</i>	<i>Zeitschrift für Rechtsgeschichte</i>
<i>ZRVI</i>	<i>Zbornik Radova Vizantinoloskog Instituta</i>
<i>ZSSRG</i>	<i>Zeitschrift der Savigny-Stiftung für Rechtsgeschichte</i>
<i>KA</i>	<i>Kanonistische Abteilung</i>

LISTS OF RULERS

*Christian rulers**1 Byzantine emperors, 976–1204*

Basil II, 976–1205
 Constantine VIII, 1025–8
 Romanos III Argyros, 1028–34
 Michael IV, 1034–41
 Michael V, 1041–2
 Zoe and Theodora, 1042
 Constantine IX Monomachos, 1042–55
 Theodora (again), 1055–6
 Michael VI, 1056–7
 Isaac I Komnenos, 1057–9
 Constantine X Doukas, 1059–67
 Romanos IV Diogenes, 1068–71
 Michael VII Doukas, 1071–8
 Nikephoros III Botaneiates, 1078–81
 Alexios I Komnenos, 1081–1118
 John II Komnenos, 1118–43
 Manuel I Komnenos, 1143–80
 Alexios II Komnenos, 1180–3
 Andronikos I Komnenos, 1183–5
 Isaac II Angelos, 1185–95
 Alexios III Angelos, 1195–1203
 Isaac II Angelos (again) and Alexios IV Angelos, 1203–4
 Alexios V Murtzouphlos, 1204

2 Popes, 1012–1216

Benedict VIII, 18 May 1012; died 9 Apr. 1024
 John XIX, Apr. or May 1024; died 20 Oct. 1032
 Benedict IX, 1032; resigned Sept. 1044
 Silvester III, 20 Jan. 1045; deposed 10 Mar. 1045
 Benedict IX, for the second time, 10 Mar. 1045; deposed 20 Dec. 1046
 Gregory VI, 5 May 1045; deposed 20 Dec. 1046
 Clement II, 25 Dec. 1046; died 9 Oct. 1047
 Benedict IX, for the third time, returned 8 Nov. 1047; expelled 17 July 1048
 Damasus II, 17 July 1048; died 9 Aug. 1048
 Leo IX, 12 Feb. 1049; died 19 Apr. 1054
 Victor II, 13 Apr. 1055; died 28 July 1057
 Stephen X, 3 Aug. 1057; died 29 Mar. 1058

[anti-pope: Benedict X, 5 Apr. 1058; deposed 24 Jan. 1059]
 Nicholas II, 24 Jan. 1059; died 27 July 1061
 Alexander II, 1 Oct. 1061; died 21 Apr. 1073
 [anti-pope: Honorius II, 28 Oct. 1061; died late 1072]
 Gregory VII, 30 June 1073; died 25 May 1085
 [anti-pope: Clement III, 24 Mar. 1084; died 8 Sept. 1100]
 Victor III, 24 May 1086; died 16 Sept. 1087
 Urban II, 12 Mar. 1088; died 29 July 1099
 Paschal II, 14 Aug. 1099; died 21 Jan. 1118
 [anti-popes: Theoderic, Sept. 1100; expelled Jan. 1101
 Albert, elected and deposed 1102
 Silvester IV, 18 Nov. 1105; deposed 12 Apr. 1111]
 Gelasius II, 10 Mar. 1118; died 28 Jan. 1119
 [anti-pope: Gregory VIII, 8 Mar. 1118; deposed Apr. 1121]
 Calixtus II, 9 Feb. 1119; died 13 Dec. 1124
 Honorius II, 21 Dec. 1124; died 13 Feb. 1130
 [anti-pope: Celestine II, Dec. 1124; died 1125–6]
 Innocent II, 23 Feb. 1130; died 24 Sept. 1143
 [anti-popes: Anacletus II, 23 Feb. 1130; died 25 Jan. 1138
 Victor IV, Mar. 1138; resigned 29 May 1138]
 Celestine II, 3 Oct. 1143; died 8 Mar. 1144
 Lucius II, 12 Mar. 1144; died 15 Feb. 1145
 Eugenius III, 18 Feb. 1145; died 8 July 1153
 Anastasius IV, 12 July 1153; died 3 Dec. 1154
 Adrian IV, 5 Dec. 1154; died 1 Sept. 1159
 Alexander III, 20 Sept. 1159; died 30 Aug. 1181
 [anti-popes: Victor IV, 4 Oct. 1159; died 20 Apr. 1164
 Paschal III, 26 Apr. 1164; died 20 Sept. 1168
 Calixtus III, Sept. 1168; resigned 29 Aug. 1178
 Innocent III, 29 Sept. 1179; deposed Jan. 1180]
 Lucius III, 6 Sept. 1181; died 25 Nov. 1185
 Urban III, 1 Dec. 1185; died 20 Oct. 1187
 Gregory VIII, 25 Oct. 1187; died 17 Dec. 1187
 Clement III, 20 Dec. 1187; died Mar. 1191
 Celestine III, 14 Apr. 1191; died 8 Jan. 1198
 Innocent III, 22 Feb. 1198; died 16 July 1216

3 *Doges of Venice, 991–1205*

Pietro II Orseolo, 991–1008
 Otto Orseolo, 1008–26
 Pietro Centranico (Barbolano), 1026–30

Otto Orseolo, 1030–2
 Domenico Flabianico, 1032–43
 Domenico Contarini, 1043–70
 Domenico Silvio (Selvo), 1070–84
 Vitale Falier, 1084–96
 Vitale I Michiel, 1096–1101
 Ordelafo Falier, 1101–18
 Domenico Michiel, 1118–29
 Pietro Polani, 1129–48
 Domenico Morosini, 1148–55
 Vitale II Michiel, 1155–72
 Sebastiano Ziani, 1172–8
 Orio Mastropiero (Malipiero), 1178–92
 Enrico Dandolo, 1192–1205

4 *The Piasts, counts, grand dukes and kings of the Poles, 992–1202*

Boleslaw Chrobry, 992–1025
 Mieszko, 1025–34
 Kazimierz Odnowiciel, 1039–58
 Boleslaw Szczodry, 1058–80
 Wladyslaw Herman, 1080–1102
 Boleslaw Krzywousty, 1102–38
 Wladyslaw, 1138–46
 Boleslaw Kędzierzawy, 1146–73
 Mieszko, 1177–80, 1194–1202
 Kazimierz, 1180–94

5 *The Árpáds, kings of the Hungarians, 997–1204*

Stephen I, 997–1038
 Peter Orseolo, 1038–41, 1044–6
 Samuel Aba, 1041–4
 Andrew I, 1046–60
 Béla I, 1060–3
 Solomon, 1063–74
 Géza I, 1074–7
 Ladislas I, 1077–95
 Coloman, 1095–1116
 Stephen II, 1116–31
 Béla II, 1131–41

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